Ministry of Attorney General

Province of
British Columbia

ANNUAL REPORT

From April 1, 1987
to March 31, 1988

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The Honourable David C. Lam
Lieutenant Governor
Province of British Columbia

May it please Your Honour:

It is my pleasure to submit to you the annual report of the Ministry of Attorney General of the Province of British Columbia for the period April 1, 1987 to March 31, 1988.

Bud Smith

Honourable Bud Smith, Q.C.
Attorney General
May 1989

The Honourable Bud Smith, Q.C.
Attorney General
Province of British Columbia

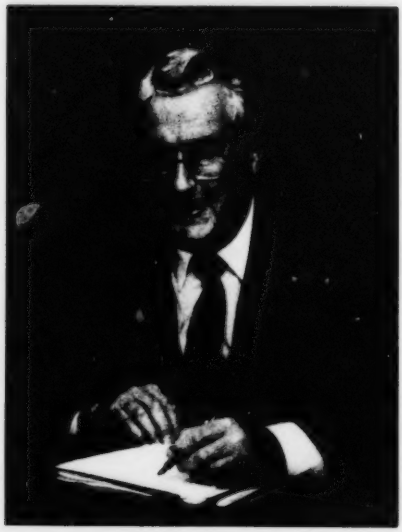
Sir:

I have the honour to submit the annual report of the Ministry of Attorney General for the period April 1, 1987 to March 31, 1988. This report also serves as the Corrections Branch annual report which was amalgamated with the Ministry's report for this fiscal year.

This is the sixth annual report to reflect a unified ministry of justice. Some of the branches, boards, and commissions reported here are required by statute to report through you annually to the legislature.

This is not a substitute for those reports. Those branches, boards, and commissions will, in the ordinary way, as is required, file an annual report.

E.N. (Ted) Hughes, Q.C.
Deputy Attorney General
May 1989



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Annual Report 1987/88

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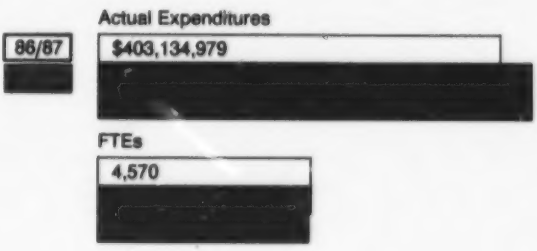
INTRODUCTION

INTRODUCTION

The Attorney General of British Columbia is the chief law officer of the province. He represents the government on all matters pertaining to the administration of justice including police, courts, prosecutions, corrections and legal services to government.



In addition, the ministry provides a number of regulatory functions dealing with: parole, the register of land titles, gaming, racing, film classification and the status of individuals confined by Order-in-Council.

The ministry also provides services to the justice system that involve: the investigation of deaths, the training of justice workers, the protection of the assets of those who cannot protect themselves, the provision of legal services to those who cannot afford it, compensation for those injured by criminal acts and law reform.

Ministry Organization

Four of the major branches of the ministry comprise the main components of the justice system. A criminal who is apprehended, charged, prosecuted in court, convicted and sent to jail, will be affected by the work of these four branches:

- the Police Services Branch,
- the Criminal Justice Branch,
- the Court Services Branch, and
- the Corrections Branch.

In addition, the ministry is responsible for providing legal services to all government ministries through the Legal Services Branch. The Support and Regulatory Branch provides the ministry with the management infrastructure required to maintain its operations.

For the reporting year, two deputy ministers reported to the Attorney General. Two branches of the ministry - the Legal Services and Criminal Justice branches - were headed by assistant deputy attorneys general and three - the Police Services, Court Services and Support and Regulatory branches - were headed by assistant deputy ministers. They reported to Deputy Attorney General E.N. (Ted) Hughes, Q.C. while the other Deputy Minister, Bernard Robinson, served as the Commissioner of Corrections. Together, the deputies and their assistants formed the Executive Committee which exercises management responsibility for the ministry.

Police Services Branch

The Police Services Branch supervises the policing of the *Criminal Code of Canada* and various provincial statutes and oversees the role and conduct of police officers (including auxiliary and reserve) serving the province.

Criminal Justice Branch

The Criminal Justice Branch provides for the prosecution of all criminal cases, and offenses under provincial statutes and many municipal bylaws in the trial and appellate courts of the province and in the Supreme Court of Canada. The branch also advises government on matters relating to criminal law and its enforcement.

Court Services Branch

The Court Services Branch provides court administration, sheriff services and reporting/recording services to all of the courts in the province - the Provincial, County and Supreme Courts and the Court of Appeal.

Corrections Branch

The Corrections Branch is responsible for correctional centres in the province and for supervising offenders on probation. It also offers mediation and conciliation services through probation offices to persons considering court intervention in resolving family disputes.

Legal Services Branch

The Legal Services Branch serves all ministries of the provincial government and their agencies in matters pertaining to civil law and litigation, constitutional and administrative law and Legislative counsel is responsible for drafting legislation and regulation.

Support and Regulatory Branch

The Support and Regulatory Branch provides services related to administration, policy development and coordination of ministry services, including data services, facilities management, finance and administration, policy and financial analysis and personnel services.

Regulatory Agencies

A number of boards and commissions operate under the umbrella of the Ministry of Attorney General providing regulatory services as required by legislation.

The B.C. Board of Parole - reviews applications for parole from inmates of provincial correctional centres.

The B.C. Police Commission - sets standards for policing and police training, assists police boards in municipalities and investigates and hears complaints against police.

The B.C. Coroners Service - is responsible for determining the cause and circumstances surrounding a person's death.

The Land Title Branch - assures absolute security of titles to land and interests in land recognized by the Crown.

The B.C. Gaming Commission - establishes policy, approves licences and hears appeals respecting the operation of bingos, casinos and ticket raffles in the province.

The Public Gaming Branch - monitors all gaming activity in the province through inspections, audits and investigations and makes recommendations to the Gaming Commission.

The B.C. Racing Commission - governs and regulates all horse-racing in the province.

The Film Classification Division - reviews and regulates all public exhibition and distribution of films and videos in the province.

The Motion Picture Appeal Board - hears appeals from exhibitors or distributors of films and videos on decisions made by the Film Classification Division.

The Order-in-Council Patients Review Board - assesses the circumstances of those referred by the courts after being charged and found mentally unfit to stand trial or not guilty by reason of insanity.

Service Agencies

A number of agencies have been set up by legislation under the Ministry of Attorney General to provide services to the public.

The Office of the Public Trustee - protects the assets and legal claims of persons who cannot protect themselves, including those judged to be mentally incompetent, minors with no legal and capable guardian, deceased persons with no heirs or wills and missing persons.

The Justice Institute of B.C. - provides training and education programs in the areas of law enforcement, corrections services, courts management and related protection and emergency services.

The Legal Services Society - provides legal aid to persons who have an urgent legal problem and cannot afford private legal services. The society also provides legal education services.

The Law Reform Commission - reviews the province's laws and makes recommendations to government on the repeal of unnecessary legislation, the elimination of anomolies, the reduction in the number of separate enactments and the simplification of the law.

The Criminal Injury Compensation Board - provides compensation for victims of crime or those injured or killed while trying to prevent an offence, make an arrest or assist police in making an arrest.

The Expropriation Compensation Board - was established by legislation in December 1987 to hear appeals from those who feel they have been inadequately remunerated for land expropriated from them by any public body.

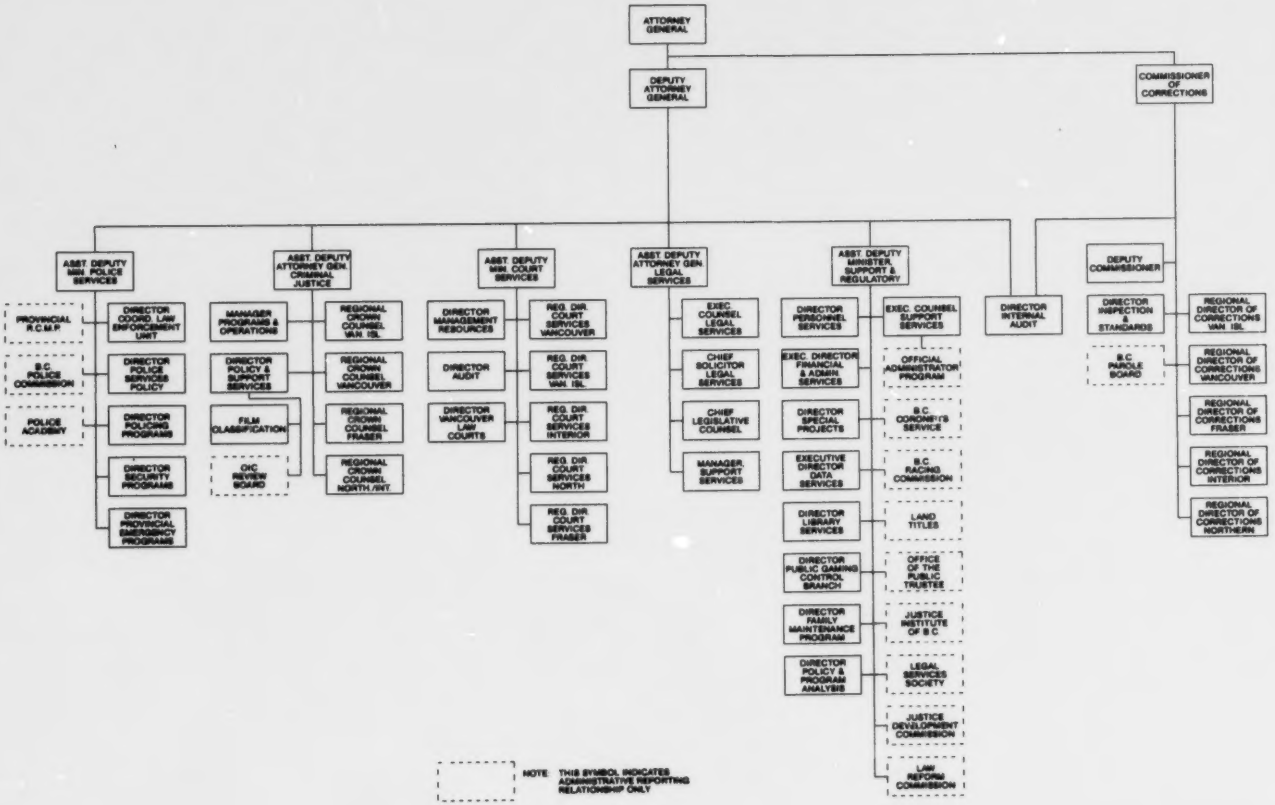
In November 1987, the Attorney General established the Justice Reform Committee to study and advise on how the justice system in British Columbia could be made more accessible, understandable, relevant and efficient to those that it seeks to serve. The committee was instructed to investigate the attitudes of citizens towards the justice system and address any dissatisfactions due to the system being too complicated, costly or slow. The committee was asked to make recommendations in areas involving civil law, criminal law, the courts and alternate dispute resolution.

The Attorney General named the Deputy Attorney General as chairman of the committee and appointed seven other members and a special advisor. Members included leaders of the Bar in the province, as well as citizens outside the profession with a knowledge of the workings of the court system. The special advisor is a member of the Court of Appeal of British Columbia.

The committee met during the first half of 1988 in many locations throughout the province. Public meetings opened in February.

The 1988-89 Annual Report of this ministry will report on the work of the committee and on the recommendations made in accordance with the terms of reference.

MINISTRY OF ATTORNEY GENERAL ORGANIZATION CHART


ATTORNEY GENERAL
DEPUTY ATTORNEY GENERAL
COMMISSIONER OF CORRECTIONS
ASST. DEPUTY MIN. POLICE SERVICES
PROVINCIAL R.C.M.P.
B.C. POLICE COMMISSION
POLICE ACADEMY
DIRECTOR COORD. LAW ENFORCEMENT UNIT
DIRECTOR POLICE SERVICES POLICY
DIRECTOR POLICING PROGRAMS
DIRECTOR SECURITY PROGRAMS
DIRECTOR PROVINCIAL EMERGENCY PROGRAMS
ASST. DEPUTY ATTORNEY GEN. CRIMINAL JUSTICE
MANAGER PROGRAMS & OPERATIONS
DIRECTOR POLICY & SUPPORT SERVICES
FILM CLASSIFICATION
CYC REVIEW BOARD
REGIONAL CROWN COUNSEL VAN. ISL.
REGIONAL CROWN COUNSEL VANCOUVER
REGIONAL CROWN COUNSEL FRASER
REGIONAL CROWN COUNSEL NORTH./INT.
ASST. DEPUTY MIN. COURT SERVICES
DIRECTOR MANAGEMENT RESOURCES
DIRECTOR AUDIT
DIRECTOR VANCOUVER LAW COURTS
REG. DIR. COURT SERVICES VANCOUVER
REG. DIR. COURT SERVICES VAN. ISL.
REG. DIR. COURT SERVICES INTERIOR
REG. DIR. COURT SERVICES NORTH
REG. DIR. COURT SERVICES FRASER
ASST. DEPUTY ATTORNEY GEN. LEGAL SERVICES
EXEC. COUNSEL LEGAL SERVICES
CHIEF SOLICITOR LEGAL SERVICES
CHIEF LEGISLATIVE COUNSEL
MANAGER, SUPPORT SERVICES
ASST. DEPUTY MINISTER, SUPPORT & REGULATORY
DIRECTOR PERSONNEL SERVICES
EXEC. DIRECTOR FINANCIAL & ADMIN. SERVICES
DIRECTOR SPECIAL PROJECTS
EXECUTIVE DIRECTOR DATA SERVICES
DIRECTOR LIBRARY SERVICES
DIRECTOR PUBLIC GAMING CONTROL BRANCH
DIRECTOR FAMILY MAINTENANCE PROGRAM
DIRECTOR POLICY & PROGRAM ANALYSIS
EXEC. COUNSEL SUPPORT SERVICES
OFFICIAL ADMINISTRATOR PROGRAM
B.C. CORONER'S SERVICE
B.C. RACING COMMISSION
LAND TITLES
OFFICE OF THE PUBLIC TRUSTEE
JUSTICE INSTITUTE OF B.C.
LEGAL SERVICES SOCIETY
JUSTICE DEVELOPMENT COMMISSION
LAW REFORM COMMISSION
DIRECTOR INTERNAL AUDIT
DEPUTY COMMISSIONER
DIRECTOR INSPECTION & STANDARDS
B.C. PAROLE BOARD
REGIONAL DIRECTOR OF CORRECTIONS VAN. ISL.
REGIONAL DIRECTOR OF CORRECTIONS VANCOUVER
REGIONAL DIRECTOR OF CORRECTIONS FRASER
REGIONAL DIRECTOR OF CORRECTIONS INTERIOR
REGIONAL DIRECTOR OF CORRECTIONS NORTHERN
NOTE: THIS SYMBOL INDICATES ADMINISTRATIVE REPORTING RELATIONSHIP ONLY

As at March 1988

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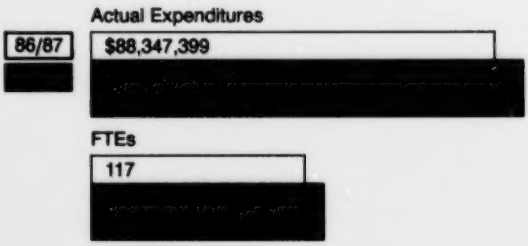
POLICE SERVICES BRANCH

The Police Services Branch ensures that police services in the province are adequate and effective and that responses to major emergencies are coordinated and well-planned. To fulfil that goal, the branch works closely with the B.C. Police Commission, the B.C. Police Academy (part of the Justice Institute of B.C.) and the RCMP which serves as the police force for the province.



Within the branch, there are five major sections:

- the Policy and Administration Division,
- Community Policing Programs Division,
- Security Programs Division,
- Coordinated Law Enforcement Unit, and
- Provincial Emergency Program.

The Policy and Administration Division oversees the level of policing throughout the province, creates policy and recommends legislation to meet current and future needs of the public, police and other agencies. It administers public funds for the delivery of police services through two federal-provincial and 50 provincial-municipal policing agreements for RCMP services.

Community Policing Programs are directed at improving police effectiveness in the community in areas involving road safety, crime prevention and assisting victims of crime. Programs include: Drinking-Driving CounterAttack, Traffic Safety, Crime Prevention, Provincial Auxiliary/Reserve Police Program, Police/Visible-Minority Relations, Victims Services Program and Ethno-Cultural Relations Program.

The Security Programs Division is responsible for firearms control, regulation of the private security industry and the protective security in government. The division licenses and inspects firearms businesses; receives, stores and disposes of seized firearms; regulates the operation of shooting clubs; administers the firearms acquisition certificate program; trains appropriate government employees in the use of firearms; tests armored car personnel on restricted weapon use; informs police and the public of firearms policies and laws; and licenses and inspects security agencies and their employees.

The Coordinated Law Enforcement Unit (CLEU) coordinates police efforts to identify and suppress organized crime and terrorism through focussed, long-term investigations by its Joint Forces Operations. CLEU's organized crime control efforts include research, policy analysis, public education, training, and liaison with other provincial and federal government departments, foreign governments and law enforcement bodies.

The Provincial Emergency Program maintains and develops the government's ability to respond to any major disaster. It maintains field offices at five locations and works closely with municipalities and other government and non-government agencies.The division helps municipal governments prepare and exercise

contingency plans for disaster response, trains officials and volunteers, develops and maintains trained search and rescue teams and administers the *Flood Relief Act* for claims for assistance from flood victims.

Significant Activities during 1987/88

Policy and Administration Division

During 1987/88, the Policy and Administration Division continued discussions with other provinces which use the RCMP as their provincial police force, to develop mutual positions for negotiating new federal-provincial agreements after the current agreement for RCMP services expires in 1991.

Community Policing Programs

Counter Attack is a joint program of the ministry and the Insurance Corporation of B.C. designed to reduce drinking driving through visible police enforcement, public education and research. In 1987, the program celebrated its tenth anniversary with a new logo and supporting television and radio messages around the theme "a decade down a safer road." The year was also the lowest on record for alcohol-related casualty traffic accidents in B.C. A month-long Christmas and three-week spring enforcement campaign were held. Public education work included a six-week province-wide tour of malls using the Expo 86 CounterAttack mall display. The program also held five regional youth conferences, a provincial youth conference and a provincial conference for auxiliary/reserve police officers.

The Crime Prevention Unit completed work on the B.C. Building Code Security Measures training program with the production of a video and manual. The training was offered during the reporting year to police and building code inspectors throughout the province. A variety of police/community training sessions were supported by the ministry through the unit, on topics such as volunteer management, citizen patrol and Block Watch planning and orientation. The unit contributes to national community policing planning by participating in review committees sponsored by the federal Solicitor General and the Canadian Police College. At the International Conference in Montreal, the B.C. representative conducted a workshop on building codes and participated in other workshops with program directors from other provinces and the United States.

The provincial Committee on Police and Visible Minority Relations completed a review of police recruitment and selection procedures during 1987/88 and proposed changes to remove systemic barriers and ensure human rights legislation is observed in the hiring of new recruits. Meetings were held between police, Chinese, Indo-Canadian and Native Indian business and community leaders to discuss local crime issues and victim concerns. An intercultural training program was held for Vancouver police to increase their understanding and awareness of ethnic groups.

The Victims Services Program began implementation of the police-based component of the province-wide Victim Assistance Program. Police-based victim assistance programs were established on a cost-shared basis with municipalities across the province and substantial funding was contributed to programs already

in existence. Police-based victims services provide counselling, guidance and information feedback to victims during police investigation and initial court proceedings. The Victims Services Program also assisted in the development of a number of publications in the area of victim assistance and family violence and developed a preschool child safety program.

The Kootenay Committee on Intergroup Relations, consisting of representatives from all three levels of government, the RCMP, the Canadian Pacific Police and leaders from the three Doukhobor factions, continued during the reporting year to develop methods to resolve outstanding differences among the Doukhobor groups.

Security Programs

The Security Programs Division tested 369 armoured car guards for proficiency and safety in handling firearms. The division also conducted four firearms training courses for provincial government employees in 1987 to make them proficient in the use of firearms required to be carried in the course of their duties. Most of the course candidates were conservation officers and forestry employees. The division took possession of 783 firearms for inspection and disposal, issued 846 firearms business licences and administered 19,404 firearms acquisition certificates, an increase of 6.6 per cent over the previous year. They also issued 953 security business licences and 6,325 security personnel licences, an increase of 13 per cent over the previous year.

Coordinated Law Enforcement Unit

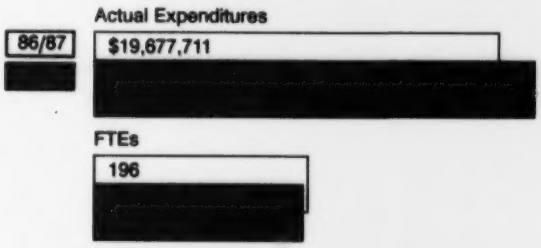
CLEU carried out major research projects and developed strategies to combat illegal drug use and trafficking and other major crime. An operational compliance unit, formed in 1986, continued its work to ensure that operators of carnivals, their supply houses and others were unable to falsify gross revenue receipts and thereby evade payment of royalties and taxes.

Provincial Emergency Program

Radio search coordinators at work.

A comprehensive evaluation of the Provincial Emergency Program was completed in 1987, resulting in numerous recommendations for changes in structure and program delivery. Implementation of these changes began in 1987/88 and will continue in years to come. In response to advisories of earthquakes off the coast of Alaska on November 30, 1987, and March 6, 1988, the program activated its contingency plan for tsunamis. This action plan provides warnings to coastal residents to evacuate low-lying areas likely to be affected, and alerts those responsible for post disaster recovery operations. The program also delivered training in various emergency planning and response subjects to 429 classroom students at its study centre in Victoria as well as 562 field training exercises for some of its 6,400 volunteers.

CRIMINAL JUSTICE BRANCH



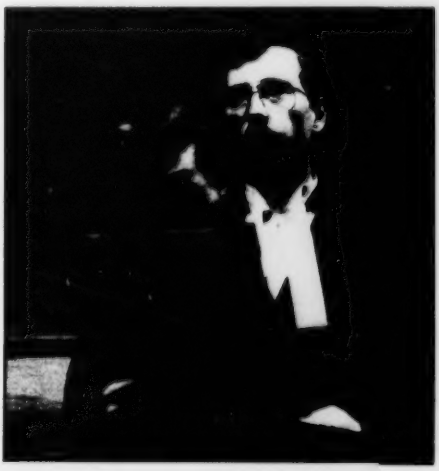
The Criminal Justice Branch is responsible for the prosecution of *Criminal Code of Canada* offences, *Young Offenders Act* (Canada) offences, and offences under provincial statutes and certain municipal bylaws in the trial and appellate courts of the province and the Supreme Court of Canada. Crown counsel advise police and other justice officials on specific cases and deal directly with witnesses and victims of crime.

The branch provides legal advice to government and develops policy and procedures on matters relating to criminal law and its enforcement.

Through its headquarters operations, the branch:

- ☐ administers the Crown counsel system, including interprovincial transfers of criminal charges, order-in-council preparations, notifications under the protection-of-privacy provisions of the *Criminal Code of Canada* and responses to inquiries from the public;
- ☐ conducts criminal law and enforcement research;
- ☐ analyses new and established legislation; and
- ☐ participates on federal and provincial criminal justice committees and task forces.

The branch is also responsible for the Film Classification Division and administration of the Order-in-Council Patients Review Board which are discussed separately in this report under regulatory services.



Significant Activities during 1987/88

Prosecutions

The reporting year was a busy one. Cases involving commercial crime and cases with international implications are occurring with more frequency than in previous years.

A specially designated team of prosecutors, headed by a senior Crown counsel, was created in October 1987 to prosecute youths involved in gang violence. This decision to designate a special team reflects current public sentiment that victimization of the public by youth gangs cannot be tolerated. The team prosecutes aggressively and where serious crimes have been committed, it seeks to have the youth tried and sentenced in adult court rather than youth court. In youth court, sentences are usually lighter and youths receive certain protections under the *Young Offenders Act* which often result in fewer convictions. The team developed an ongoing liasion with federal officials responsible for deportation of convicted gang members.

In response to a growing concern about environmental, fish and wildlife issues, the branch continued its use of a designated environmental prosecutor who acts as a provincial resource person for regional environmental prosecutions.

The Criminal Appeals and Special Prosecutions office continued to coordinate the majority of appeals to the Court of Appeal and conduct prosecutions of exceptional cases where more than one region of the province is involved or where a particular region does not have Crown counsel available to devote to a time-consuming or high profile case. The office serves as an educational resource for Crown counsel who rotate periodically through the office and are able to participate in arguing substantive, procedural and evidentiary issues to which they may not otherwise be exposed.

Prosecution of impaired driving and related offences continued to be aggressively pursued throughout 1987/88. Significant developments in case law arising from the Charter of Rights and Freedoms necessitated, more than ever, cooperation and efficient flow of information between police and Crown counsel to ensure successful prosecution of impaired drivers. Development of a special case book began during the reporting year, to be distributed in the next fiscal year, to help keep all Crown counsel as up-to-date as possible on significant cases.

Victims of Crime

The branch continued to refine its special policies relating to victims of child sexual abuse, child physical abuse, and spousal assault. The branch was involved in implementing new federal legislation dealing with the use of video tape evidence in child sexual abuse cases. Plans were made during 1987/88 to extend a special victim/witness program throughout the province. The program is designed to deal primarily with those who have suffered severe physical and psychological injury. Victim/witness assistance workers provide victims with information and help in preparing them for trial.

The Crown counsel-based system for providing victim impact statements to the courts was refined and the branch made strong recommendations to the federal government for an expanded Criminal Code definition of 'victim' for the purposes of victim impact statements in proposed federal legislation. Victim impact statements provide the court with an indication of the emotional, psychological and financial impact of an offence on the victim.

Management

Crown counsel continued the practice of approving charges prior to the swearing of the information. This ensures that cases will proceed to court only where a substantial likelihood of conviction exists and where the prosecution is warranted in the public interest. As charges are carefully vetted, this "quality control" process has resulted in significant savings: court time is reduced, allowing for more efficient trial scheduling, and fewer police hours are required at trial than would otherwise be the case.

Lawyers confer in court hallway.

The Crown counsel-based system of pre-trial diversion continued for adults and young offenders. This is a well established system which operates as an alternative to prosecution where less serious offences are involved. Diversion not only results in cost savings for the criminal justice system as a whole, but also gives certain offenders the opportunity to acknowledge their wrongful conduct without being spiraled further into the criminal justice system.

Crown counsel services continued to be provided from 42 offices throughout the province. In addition to regular salaried Crown counsel, who number approximately 45, the branch continued to use about 133 Crown counsel on personal service contracts. In addition, "ad hoc" counsel, or counsel from the private defence bar, continued to be used to prosecute cases on behalf of the Crown. These ad hoc counsel provide a balanced approach to prosecutions by bringing a defence-oriented perspective to the prosecution process.

The practice of notifying witnesses by letter that they must attend court instead of personally serving witnesses was continued, resulting in significant cost savings.

To streamline criminal procedure and the wording of forms, the branch developed and circulated special manuals to Crown counsel outlining standarized practices.

Legislation

Staff were involved in a variety of proposed federal legislative initiatives, including ones relating to:

- child sexual abuse and the manner in which children may testify in court;
- mentally disordered persons;
- amendments to the *Young Offenders Act*;
- federal victims initiatives;
- proceeds of crime;
- pornography,
- mutual legal assistance; and
- the Law Reform Commission's draft Criminal Code.

Staff were also involved in other federal/provincial initiatives such as the agreement to compensate wrongfully convicted persons.

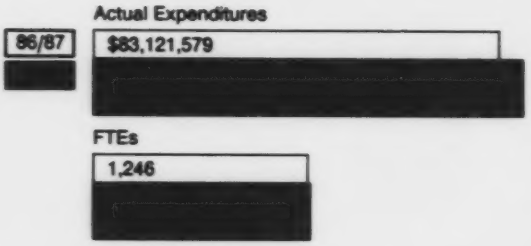
The Uniform Law Conference, an annual meeting of federal and provincial lawyers, including the Criminal Law Section, was held in Victoria in August 1987. Resolutions passed by the conference are presented to the federal

government. The branch actively participated in discussing recommendations relating to criminal law reform and other justice issues.

Efficiency

In continuing efforts to increase the efficiency of the branch, a province-wide evaluation of Crown counsel began during the year. Crown counsel's in-court and out-of-court skills are being assessed. Information received to date indicates Crown counsel are performing their tasks in a very competent manner. Procedures to monitor Crown counsel's compliance with established major policy initiatives were developed. Policies being monitored include child sexual assault, spousal assault, victim impact statements, and disclosure of particulars to defence counsel.

COURT SERVICES BRANCH



The Court Services Branch has a dual accountability in British Columbia's justice system. As a branch of government, it must provide timely and equitable access to all users of the various levels of courts in the province, including Provincial, County, Supreme and the B.C. Court of Appeal. It is also accountable to the Chief Justice of the Court of Appeal, the Chief Justice of the Supreme Court and the Chief Judges of the County and Provincial Courts for providing judicial administration which is independent of government.

Court administration

Court administration involves all the filing and processing of documents and the accounting functions required by all court locations throughout the province. This includes 75 staffed locations and several other locations to which the court travels on circuit. The functions include:

- providing information on courts to the public;
- preparation and maintenance of court files;
- receipt and disposition of fines, fees and trust money;
- provision of court clerks for recording pleas, dispositions, trial dates and general administration in the courtroom;
- marking, control, security and disposal of exhibits used in the courts such as drugs, money and documents; and
- management of all court facilities.

Sheriffs

Sheriff services include:

- service of certain criminal and civil documents;
- providing prisoner and court security;
- summoning citizens for jury duty;
- supervising jury deliberations;
- escorting accused and convicted persons to and from the courts and between correctional facilities;
- executing writs; and
- assisting coroners' courts.

Transcripts

Official court reporters and court recorders record all proceedings in the courts of British Columbia and produce verbatim transcripts as required.

Judicial administration

Judicial administration is carried out under the direction of the judiciary and includes:

- ☐ scheduling of trials;
- ☐ providing justices of the peace for hearing bail applications, issuing warrants, etc.; and
- ☐ providing Supreme, County and Small Claims Court registrars to complete quasi-judicial duties assigned by the court.

Significant Activities during 1987/88

During 1987/88, both the number of civil filings received and new criminal cases were approximately the same as experienced in 1986/87.

While the number of civil filings received, 136,512, was down a modest two per cent from the previous year, the long term trend appears to be stabilizing or rising slightly. Similar volumes can be anticipated in the next fiscal year.

The number of criminal cases also appears to be stabilizing after the rapid declines experienced from 1983 through 1985 following the introduction of more selective Crown charging practices. While there were only 113,787 new cases, which represents a reduction of 5.5 per cent from the previous year, the number of not guilty pleas increased by nearly 10 per cent thus increasing court time.

During the 1987/88 fiscal year, the branch provided staff to support 126,000 hours of court. The number of court sitting hours for the third year in a row was stable, with minor decreases in Small Claim and Youth courts being offset by increases in criminal court.

The branch completed installation of its automated accounts receivable system at 23 court locations during 1987/88. The system is improving the efficiency of recording revenues owed to the province from fines and of transferring information to the Motor Vehicle Department for flagging of drivers' licences when fines are not paid. In addition, a new uniform ticket introduced during the year, combined with a "deemed convicted" option for traffic violations introduced in the previous year, has simplified the processing of fines and ensured court time is used only when a case is disputed. Under the "deemed convicted" option, a driver may choose to pay a prescribed fine without appearing in court. The changes have resulted in significant workload increases in the traffic ticket processing area.

The Court of Appeal completed a pilot project during the year which employed video transmission equipment to hold pre-trial conferences between the Chief Justice of British Columbia in Vancouver and lawyers in Victoria. As it stands now, those seeking leave to appeal must travel from anywhere in the province to Vancouver for a pre-trial conference to determine if an appeal will be allowed. The use of video conferences would eliminate the costly travel. The pilot project was considered a success and will be developed in the future as the technology becomes available economically.

In another pilot project, the branch tested combining the roles of court clerks and court recorders. Court clerks normally receive documents and evidence

Court recorder / clerks note proceedings.

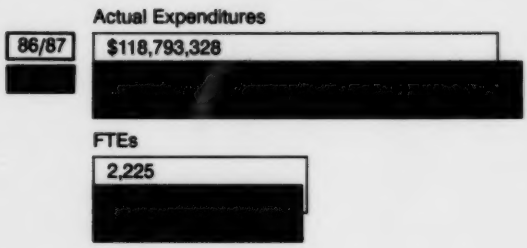
presented to the court while court recorders log the proceedings. Combining the functions is not feasible in some courts, for example, where there are many witnesses or pieces of evidence. However, it proved successful in most courts and will be implemented throughout the province in the next fiscal year.

Phase 1 of a new automated case tracking system was developed for the Court of Appeal. This will improve the accuracy of records and provide quicker access on the status of appeals for the public and the bar.

During the fiscal year, four new courtrooms were constructed for civil trials in the Vancouver Law Courts complex. These new courtrooms are expected to assist Vancouver County and Supreme courts in controlling the inventory of outstanding civil cases.

Thanks to the cooperation of the British Columbia Building Corporation in fast-tracking the construction project, a new interim court facility in Surrey was completed, replacing an outdated and substandard court facility.

CORRECTIONS BRANCH



The Corrections Branch provides facilities, programs and services for the incarceration of remanded adults and those sentenced to imprisonment for less than two years, and for youth remanded or sentenced to periods of containment. The branch also supervises persons placed on probation and parole and provides the courts with information related to sentencing of adults and youths. Family Court counsellors provide mediation and conciliation services for persons considering court intervention in resolving family/marital disputes. On request, they also provide the court with information regarding family/marital disputes, especially in matters concerning child custody and access and family maintenance payments. The B.C. Board of Parole also reports administratively through the Commissioner of Corrections.

The Corrections Branch operates under the legislative authority of the B.C. *Correction Act*, the *Family Relations Act*, the federal and provincial *Young Offenders Acts*, the *Parole Act*, the *Prisons and Reformatories Act* and the *Criminal Code of Canada*.

Adult Correctional Centres

The branch operated and staffed 24 adult correctional centres (including two facilities for women) in 1987-88, including:

- six secure facilities (for sentenced and remanded inmates), where the emphasis is on control and protection;
- 12 open facilities (for sentenced inmates only), where emphasis is on organized work projects or specialized programs; and
- six community facilities, where the emphasis is on community employment training, and education.

Youth Custody Centres

The branch operated 11 youth custody centres during 1987-88, including:

- five secure centres for male and female youths who are either remanded in custody while awaiting trial or are sentenced to a period of secure containment. Secure facilities provide custody for young offenders while offering opportunities for age-appropriate activities aimed at rehabilitation and at lessening the negative effects of containment; and
- eight open facilities, which provide a structured setting for both male and female offenders to promote personal growth, educational skills, and healthy work habits by rewarding positive behavior and performance.

Probation, Family and Community Services

Probation officers and Family Court counsellors variously provide services to the courts, offenders, families and communities throughout the province, for

example, they:

- ☐ supervise accused and offenders who are subject to bail, probation or parole orders;
- ☐ conduct investigations and prepare reports on accused and convicted persons;
- ☐ advise the court on such matters as sentencing options, social background of offenders, and dispositional reviews;
- ☐ help families and couples who are separating to resolve issues such as child custody, guardianship, and access;
- ☐ provide information to the court to help determine child custody and access issues;
- ☐ provide information and counselling services to members of the community; and
- ☐ help identify, develop, and manage needed community based correctional programs.

Inspection and Standards Division

This division:

- ☐ reviews and examines complaints made by, or on behalf of, staff, inmates, probationers, parolees and youths or parents of youths involved with the correctional system;
- ☐ on request of the Attorney General or the Commissioner of Corrections, investigates matters respecting incidents of disturbance, serious accident, escape and allegations of staff misconduct in the correctional system;
- ☐ receives and reviews appeals of decisions from disciplinary hearings held to consider alleged violations of institutional rules;
- ☐ inspects both adult and youth correctional facilities to review their adherence to standards and policy;
- ☐ audits local probation services to ensure compliance with branch standards; and
- ☐ audits privately contracted community services to ensure that programs being offered are safe and delivered in accordance with provisions of the contracts.

Significant Activities during 1987/88

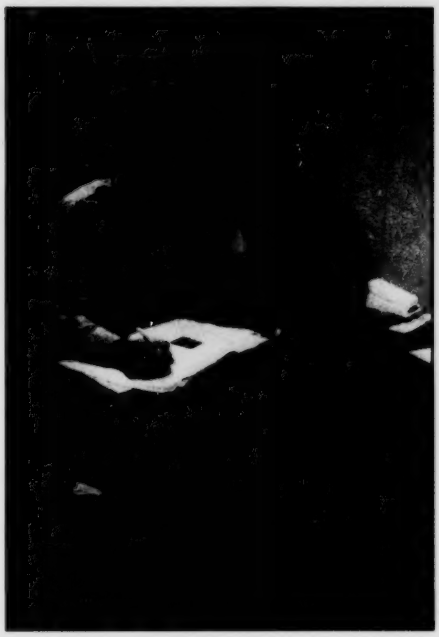
The Major Initiatives Plan

The Corrections Branch orders its priorities by using a major initiative plan to guide its planning and activities for the year. During 1987/88, there were 11 major components to the plan, including:

1. An employment equity program to address an imbalance in the number of women in supervisory and management positions.
2. Advocating creation of a single court to deal with all family matters that would also provide a range of additional services such as dispute resolution, access to legal advice and representation, streamlined rules and forms, conciliation counselling, maintenance enforcement, child access assistance and services related to the needs of victims of family violence;
3. A five-year capital projects plan.(See 'Facilities' section, page 34.)
4. Development of additional youth programs to provide a wider range of custody and community program options, early release options and options to

deal with high inmate counts at youth containment centres.

5. Increased emphasis on restitution and victim reparation through the development of new policy and programs.
6. Development of programs to engage adult inmates in constructive activity that will reduce the costs of incarceration, by producing goods required by the branch, and that focus on reparation to victims of crime.
7. Development of a comprehensive human resource plan that ensures the positive management of staff, emphasizing supportive management techniques.
8. A review of branch programs with a view to identifying options for restructuring, regionalization and privatization of services in view of major initiatives by the provincial government.
9. Completion of an information system plan with emphasis on implementing a probation records system, developing a family information system and implementing an accounting and control system.
10. Advocating legislative changes that would strengthen enforcement of probation orders.
11. Development of policies and programs that address the disproportionate rate of incarceration of Native offenders.



Classification interview

Caseload

	1984/85	1985/86	1986/87	1987/88
Adult Institutions:				
Remand	336	301	306	309
Sentenced	1,659	1,606	1,531	1,563
	1,995	1,907	1,837	1,872
Youth Containment:				
Remand	31	39	47	38
Sentenced	107	183	291	292
	138	222	338	330
Adult Community Service:				
Probation	9,449	9,526	8,788	8,704
Pretrial	1,496	1,407	1,413	1,579
Parole	456	412	377	388
Youth Community Services:				
Probation	2,968	3,068	3,741	3,882
Pretrial	102	175	263	287
Family Services:	5,627	5,019	5,027	4,979

The statistics respecting adult institutions and youth containment show the average number of persons in Corrections Branch custody throughout British Columbia on any given day during each of the four fiscal years reported. The figures indicate that the population in adult facilities has declined slightly, while that in youth facilities has increased significantly.

The statistics relating to adult and youth community services show the average daily number of persons supervised throughout British Columbia on probation orders, bail order or on parole. The figures indicate a slight decline in adult supervision, and an increase in youth supervision. The changes in adult and youth populations, both institutional and community, are largely attributed to the 1985 change in the age at which one becomes an adult offender.

Programs

The Ministry of Attorney General and the Solicitor General of Canada have had long standing 'exchange of service' agreements, with increasing emphasis on joint planning and cost sharing for inmates across the province. Prime examples are the agreements to cost share the construction of the Burnaby Correctional Centre for Women and the Kamloops Regional Correctional Centre.

A number of inter-provincial agreements that would allow offenders to serve sentences in their home province were under negotiation during 1987/88, to be signed and concluded in the following fiscal year.

The branch completed development of an inmate work policy. New legislation provided for special accounts into which production revenues from a diverse range of inmate work programs across the province are deposited and out of which expenses, such as inmate wages, are paid. The special accounts provide working capital and a more business-like financial and administrative infrastructure that will enable the branch to develop a wider variety of opportunities for worthwhile inmate employment.

The first electronic monitoring system in Canada began as a pilot project in the Lower Mainland during the reporting year. The system can detect the movements of a sentenced offender away from their home using a transmitting device locked to his or her body. Initially, it has been used on offenders serving intermittent sentences for whom the court would agree time could be served within the bounds of their own personal residence. An advisory committee of justice professionals and representatives of interested community groups was formed to observe and advise the branch on the project's progress. A detailed evaluation should be completed by December 31, 1988.

During 1987, the branch developed two "fine option" pilot projects to assess this alternative for the nearly 2,000 people admitted to jail annually solely for being in default of a fine. Under the program pilots, operating in the Fraser and Northern regions, the offender receives a credit of $4 for each hour of community service. The credit is applied to reduce the outstanding balance of his or her fine. The pilot projects will be evaluated by December 31, 1988.

In March 1987, two Vancouver probation officers and a consulting psychologist began the Southeast Specialized Supervision Unit, a special therapeutic counselling and monitoring program for convicted sex offenders on probation or parole. The pilot project will be evaluated in 1988/89.

During the reporting year, alcohol awareness programs have been emphasized, with special planning for a significantly expanded program initiative during 1988/89, made possible through increased taxation on liquor sales which the provincial government has directed back to alcohol program support.

Planning for release.

In May 1987, the branch seconded staff to work full time on the final design and implementation of the Probation Records System (PRS). PRS provides direct access to historical records in the Provincial Case File (PCF) as well as the capacity for word processing, electronic mail and spread sheet applications. Implementation in all probation and family court service offices will be completed by September 1990.

In the 1987/88 fiscal year, a major revision of Corrections Branch standards was undertaken to provide a single manual of concise benchmarks for the operation of all Corrections Branch programs. The revised standards will be published by December 31, 1988.

On January 1, 1988, 13 inmates escaped from the segregation unit at the Lower Mainland Regional Correctional Centre. This escape and subsequent events led to the appointment of a judicial inquiry (known as the Drost Commission of Inquiry) which, after extensive consultations and public hearings, is expected to table its report in October 1988.

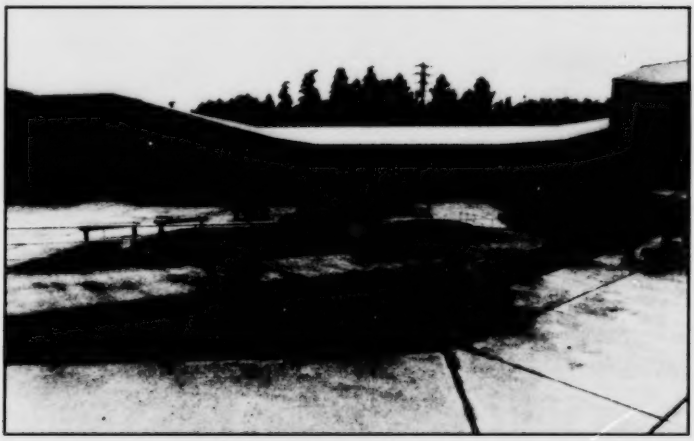
In order to balance the regional span of control, Willingdon Youth Detention Centre and Holly Cottage were moved to the Vancouver Metro Region and the Oakalla District was moved to the Fraser Region effective April 1, 1987.

The branch has continued to provide a substantial number of services through private contractors. Up to 20 per cent of the branch budget (less building occupancy charges) is allocated for contracted food services, chaplaincy services, health care services in correctional centres, community service contracts, residential and non-residential attendance program contracts, as well as other community-based programs. In March 1988, a task group was established to develop a implementation plan for the delivery of all Family Court counselling services provided by the Corrections Branch by December 31, 1988 through the

non-governmental sector. The task group will be undertaking extensive consultation with staff, family lawyers and a variety of community groups to ensure that the level of service is not diminished with privatization.

Facilities

Adult



Vancouver Island Regional Correctional Centre.

The branch continued its efforts towards replacing a number of outdated or inadequate adult correctional centres. Capital projects in progress include:

- ☐ the new Kamloops Regional Correctional Centre, scheduled for completion December 1, 1988, to accommodate 160 inmates, including 30 federal inmates, and replacing the present facilities which accommodate 108 inmates;
- ☐ phasing out and replacing the Lower Mainland Regional Correctional Centre on Oakalla lands with a new Burnaby Correctional Centre for Women for 140 inmates (scheduled for completion in November 1990), the new Fraser Regional Correctional Centre for 254 sentenced males (scheduled for completion in March 1990), the 150-bed Surrey Remand Centre (scheduled for completion in November 1990) and the 25-bed Burnaby Community Correctional Centre (scheduled for completion in September 1990);
- ☐ plans for replacement of the Chilliwack Correctional Centre to accommodate 34 sentenced minimum security inmates, scheduled for completion in July 1989; and
- ☐ completion of plans to upgrade the Prince George Regional Correctional Centre. The facility for 150 remanded and sentenced male inmates is scheduled for completion in September 1993.

Youth

Responding to continuing demand for containment resources for young offenders, the branch opened a number of youth centres in 1987/88, including a six-bed, open custody addition to the Victoria Youth Detention Centre. Facilities still under development include a new 36-bed secure youth containment centre for the Interior Region and a 48 bed secure containment centre scheduled for opening in Prince George in April 1989. A new youth containment centre on Vancouver Island and a new youth camp in the North region continue to be in the early planning stages.

Services to staff

Overall productivity of the Corrections Academy reached an all-time high during 1987/88 with a total delivery of 98 separate courses resulting in 11,826 employee training days. Security officer recruit training was a major priority. A Corrections Branch study group was established to review the delivery of recruit training and as a result of this study, a revised competency curriculum was developed for entry level security officers.

A pilot course for security officers was introduced in January 1988 and initial evaluations have shown this to be a considerable improvement. The new modular training design also allowed security officers from both adult and youth institutions to take training at the same time. As a result of a backlog of untrained security officers in some institutions and an unexpected number of early retirements, additional and simultaneous courses were run during January through March 1988.

The training year was highlighted by on-going probation officer recruit courses, supervisory competency programs, on-going discussions with the Correctional Service of Canada regarding joint delivery of programs, and the production of a number of job training packages and programs on such topics as creative conflict resolution, sexual harassment and creative problem solving.

In May 1987, the Corrections Branch approved an employment equity program which recognized the need to increase representation of women in classifications and positions where they were proportionately underrepresented (i.e. in security officer and correctional officer positions, and in supervisory and management positions at all levels). The branch policy identified targets and structures such as bridging positions to assist female staff, but also acknowledged that the Corrections Branch hires and promotes based on merit. Targets, therefore, would not be time-framed to undermine the merit principle.

In March 1987, the first Corrections Exemplary Service Medals were presented at Government House by Lieutenant-Governor Robert Rogers to 11 members of the branch's corrections staff.

The unique medals, provided by the Government of Canada, recognize employees of Canadian correctional services who have completed 20 years of full-time service of high standard.

LEGAL SERVICES BRANCH

	Actual Expenditures
86/87	$11,135,291

	FTEs
	93

Under the *Attorney General Act*, the Attorney General shall, among other duties, "see that the administration of public affairs is in accordance with the law" and "has conduct of all litigation for or against the Crown." He is also mandated to "advise on the legislative acts and proceedings of the Legislature." In order to do so, the Attorney General is assisted by the Legal Services Branch.

The Legal Services Branch:

- ☐ advises government ministries and agencies on legal matters;
- ☐ prepares legislation, regulations and orders in council;
- ☐ drafts government contracts; and
- ☐ conducts civil and constitutional litigation on behalf of the government.

The branch has three divisions:

- ☐ barristers, responsible for representing the Crown in constitutional, civil and family law matters before the court;
- ☐ solicitors, responsible for providing general legal advice to ministries of government, interpreting their powers under legislation, drawing up contracts and conveyancing of real property; and
- ☐ legislative counsel, responsible for legislation, regulations and orders in council.

Legal Services library.

The branch's present complement of employees - lawyers and support staff - totals 94. A further 63 persons have contracted to provide legal services exclusively to the branch. Other legal services are provided by private lawyers around the province under annual contracts and "ad hoc" appointments.

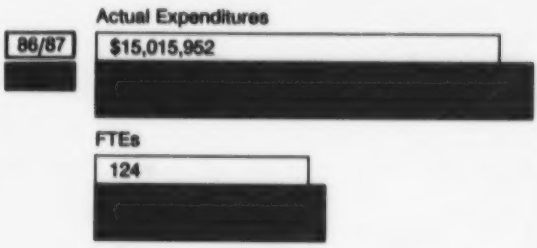
The branch also provides a comprehensive law library service to the ministry as a whole. Its functions include maintenance and continuing development of the central law and management collection, provision of a province-wide reference service and acquisition of both published and unpublished materials.

Significant Activities during 1987/88

The work of the branch during the reporting year was significantly influenced by a number of factors, including:

- ☐ increased legal work associated with aboriginal land claims;
- ☐ the privatization initiatives of the government which resulted in the need for extensive, detailed contracts;
- ☐ the new *Securities Act*, which came into effect just before the beginning of the reporting year and required increased legal services to the Ministry of Finance and Corporate Services;
- ☐ the continued high level of challenges to legislation based on the *Charter of Rights and Freedoms*; and
- ☐ a heavy legislative program.

SUPPORT AND REGULATORY BRANCH



The Support and Regulatory Branch provides the central services required to support the overall operations of the ministry and its independent boards, agencies, and commissions, several of which have a reporting relationship with the branch. These include the B.C. Gaming Commission, the Public Gaming Branch, the B.C. Coroners Service, B.C. Racing Commission, Land Title Branch, Office of the Public Trustee, and the Justice Institute of B.C.

Finance and Administration Division

This division is responsible for:

- overall ministry financial operations, including payroll, revenue and accounts;
- financial reporting (both internal and external) to the ministry;
- financial policy, budgeting and analysis;
- facilities planning and management; and
- administrative services including vehicle management, telecommunications and purchasing.

System Services Division

System Services provides assistance and support for the ministry's information systems. This support includes:

- policy, planning, and direction;
- development of standards and quality control;
- daily operational support of the ministry's minicomputers and networks;
- coordination and integration of ministry systems initiatives; and
- system acquisitions and development.

Personnel Services Division

This division assists ministry line managers in all areas of personnel administration, including:

- labour relations;
- staffing;
- classification of positions;
- organizational structure, reporting relationships, and related matters;
- training, occupational health and safety, and women's programs as required; and personnel policy and regulations or their development as required.

Policy and Financial Analysis

Each branch of the ministry is responsible for developing the policies that deal with its own operations. Policies and programs affecting the ministry as a whole

and issues that do not fall comfortably within the mandate of a specific branch, however, are handled by the Policy and Financial Analysis Division.

The division:

- ☐ coordinates the ministry's legislative program and its participation in federal-provincial meetings and conferences;
- ☐ provides specialized policy and analytical services;
- ☐ liaises with various federal, provincial, and non-government organizations on justice-related matters; and
- ☐ coordinates development of statistical and management information.

Computer financial analysis.

Family Maintenance Enforcement Pilot Project

This is a specialized pilot project to test and develop an automatic maintenance enforcement program model for province-wide expansion.

Program Services Division

Program Services develops and manages specialized, justice-related policies and programs for the ministry and community-based agencies. The areas of activity in 1987/88 included:

- ☐ community agency core funding and development;
- ☐ victim services;
- ☐ crime prevention activities;
- ☐ family court/youth justice committees;
- ☐ public legal education;
- ☐ maintenance & enforcement information search unit; and
- ☐ pornography.

In July 1987, the Information Services Division was amalgamated with the Program Services Division under the name of the latter. Information services provided by the division include:

- ☐ public information and communications;
- ☐ media relations advice for the ministry;
- ☐ production of ministry publications;
- ☐ production of ministry audiovisual materials; and
- ☐ special information programs and professional communication services required by the ministry and its boards, branches and commissions.

Significant Activities during 1987/88

Program Services Division

Crime Prevention - Program Services provided consultation and funding to various agencies involved in crime prevention. For example, it helped fund a major bi-monthly crime prevention publication, Prevention Magazine, and seminars on such topics as volunteer management, adult children of alcohol abusers, child sexual abuse and avoiding violence.

Pornography - the division continued development of a public education program on pornography, defining the role of the justice system and explaining the need for citizens to make informed and educated choices on the types of material they and their children view. The core of the program is a critical viewing skills kit, designed to provide teens with skills in discerning violence and gender stereotyping. The program will be available in the next reporting year.

The division also continued its liaison with the Periodical Review Board, an independent body, to enable self-regulation by the magazine distributors on distribution of sexually-oriented magazines.

Services to victims of crime - Program Services has responsibility to coordinate the development and implementation of the Victim Assistance Program which started during this reporting year. This program is aimed at ensuring that there is a basic level of service for all victims of crime.

Grants totalling $293,871 were made to six sexual assault centres located in Duncan, Victoria, Vancouver, Kamloops, Fort St. John and Terrace. These centres provide support and information to victims of sexual assault as well as close liaison with justice professionals to help victims through the sometimes difficult court process.

Core funding - core-funding grants totalling $594,395 were given to a variety of justice-related community-based agencies, including: Allied Indian and Metis Society, B.C. Borstal Association, Elizabeth Fry Society (Vancouver, Kamloops and Central Okanagan), John Howard Society of B.C., M2W2 Association - Christian Volunteers in Corrections, Public Legal Education Society and the B.C. Civil Liberties Society. A program grant of $1,411,996 was made to the Native Courtworkers and Counselling Association of B.C., jointly funded with the federal government. This enabled the association to provide a network of Native courtworkers throughout the province to assist native Indians who are in conflict with the law.

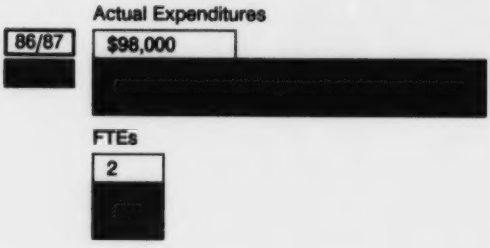
Young Offenders - the division helped produce a newsletter and sponsored the annual conference for family court/youth justice committees around the province established under the *Young Offenders Act* and the *Provincial Court Act*. It also continued coordinating the development and funding (through the Solicitor General of Canada) of special programs for young offenders.

Information Services - Program Services provides public information about the Attorney General's ministry and is responsible for media relations, publication production and production of audio-visual materials.

Family Maintenance Enforcement Project

During the 1987/88 legislative session, the Attorney General introduced the *Family Maintenance Enforcement Act*, which established the legislative framework for the operation of a province-wide family maintenance enforcement program. The legislation, which received royal assent on March 11, 1988, created the position of director of maintenance enforcement and new administrative enforcement remedies to assist single parents and dependent children in obtaining maintenance payments owed pursuant to court orders and other forms of maintenance agreements. In addition, the branch requested proposals from private companies to operate the province-wide program of behalf of the ministry.

INTERNAL AUDIT DIVISION



The ministry Internal Audit program was formalized by approval of ministry audit policy in February 1986. The mandate of the division is delivered by a small staff and extensive use of contracted services.

The division's objective is to assist senior management to manage and control its resources in an efficient, effective manner. It assesses ministry operations, ensures funds and other public property are safeguarded, ensures compliance with legislation, and provides information for ministry management decision-making.

The division derives its authority to undertake internal audits from the *Financial Administration Act*, Treasury Board policy and the ministry's Policy on Internal Auditing. The division conducts regular audits and audits by special requests from the audit committee of the ministry.

The director of Internal Audit reports to the Deputy Attorney General.

Significant Activities during 1987/88

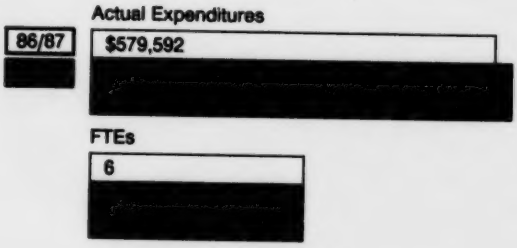
During the fiscal year 1987/88, efforts of the division were directed toward completion of 10 audit projects and reporting on them to ministry management.

REGULATORY AGENCIES

B.C. Board of Parole 45
B.C. Police Commission 46
B.C. Coroners Service 48
Land Title Branch 49
B.C. Gaming Commission 50
Public Gaming Branch 51
B.C. Racing Commission 52
Film Classification Division 53
Motion Picture Appeal Board 54
OIC Patient Review Board 55

B.C. Board of Parole

The B.C. Board of Parole makes decisions on applications for conditional release (parole) of inmates from provincial correctional centres. It receives its authority under the *National Parole Act.*



At any given time in British Columbia, there are approximately 2,000 convicted offenders serving sentences of less than two years under provincial corrections jurisdiction. Of those, about 300 are serving their sentences in the community on parole. An inmate must apply for parole. In addition to the parole application, the Board receives information from a parole coordinator at the correctional facility and from provincial probation workers who investigate the inmate's parole plan. Decisions to grant, deny, revoke, or suspend parole are made on the basis of criteria spelled out in the act relating to:

- ☐ the risk to the public,
- ☐ the benefit derived from the sentence, and
- ☐ how early release will aid in an offender's reform and rehabilitation.

The Board consists of a full-time chairman and 22 community members who serve on an as-needed basis but average about three hearing days per month. Members are selected from various communities throughout the province to represent community interests and concerns and to reflect a broad cross-section of occupational backgrounds and community endeavours.

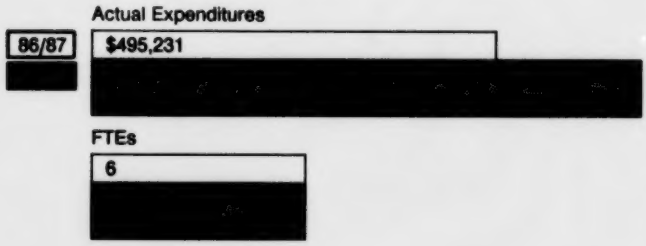
Significant Activities during 1987/88

During the year ended March 31, 1988, the Board rendered 1,705 decisions on parole applications or conditions, granting 769 paroles, denying 634, revoking 141, deferring decisions in 44 cases, and making administration decisions such as change of conditions and transfer of jurisdiction in 117 cases. Of the applications for parole, 54.8 per cent were granted, down from 60.1 per cent in the previous fiscal year. While there were more parole hearings and decisions than the previous year, the decrease in the number granted reflects a more conservative approach on the part of board members. During the year, 8.3 per cent of paroles were revoked for violation of parole conditions and the offender was returned to prison – a one per cent increase from the previous year.

The B.C. Board of Parole produced a major discussion paper on sentencing and parole during the fiscal year. The green paper recommended the *National Parole Act* be revised, that inmates should have to earn the privilege of parole, that judges should have a say in the date of parole and that victims should have their views heard on the question of parole.

The Board also undertook a research project which surveyed the number of visitors and advocates who were present at parole hearings to assess the affect of their presence on the outcome of hearings.

B.C. POLICE COMMISSION



The B.C. Police Commission was established in 1974 under the *Police Act* to ensure there is an adequate standard of police service in the province and to ensure accountability of the police to the public.

To carry out this mandate, the Commission:

- ☐ assists municipal police forces in the establishment of minimum standards of police staff selection and training, staff strength, equipment and facilities and ensures compliance with the minimum standards;
- ☐ assists in developing higher levels of service and improving its operational efficiency and effectiveness;
- ☐ promotes cooperation, understanding and positive public attitudes towards the police and promotes the public assistance aspect of policing among police;
- ☐ develops and ensures compliance with adequate and fair procedures for holding the police accountable to the public;
- ☐ hears appeals on the disposition of Private Investigator and Security Agency Licensing applications; and
- ☐ hears appeals on the disposition of internal police discipline under the Police (Discipline) Regulation.

In the process of carrying out these functions, the Commission conducts research, inquiries and investigations, maintains statistics on various aspects of policing and makes recommendations to the minister on police policy.

Significant Activities during 1987/88

During the reporting year, the members of the Commission were:

Chairman Dr. Malcolm Matheson, Deputy Chairman J. David N. Edgar, and member Mary E. Saunders. The executive officers during the reporting year were: Bill Beamish, Tom Rippon, Inspector Jack Crich, Inspector Dave Staples, Frank Letkeman, Ray Orchard and Ab Thorvalson.

As of March 31, 1988, the last day of the reporting year, Dr. Matheson and executive officers Frank Letkeman, Ray Orchard and Ab Thorvalson resigned their positions.

During the fiscal year, amendments to the *Police Act* were developed after consultation with the police, police boards and other interested parties. These amendments provide for the appointment of a complaint commissioner to receive and monitor the handling of citizen complaints against the police and ensure compliance with provisions of the act.

The Commission also completed hearings under the *Inquiry Act* into the case of Michael Jacobsen, who was injured in 1983 while incarcerated in the Vancouver City police jail. The jurisdiction of the Commission to hold such an inquiry had been challenged in court, resulting in delay of the hearing. However, the

Supreme Court ruled in November 1987 that the inquiry was within the Commission's jurisdiction.

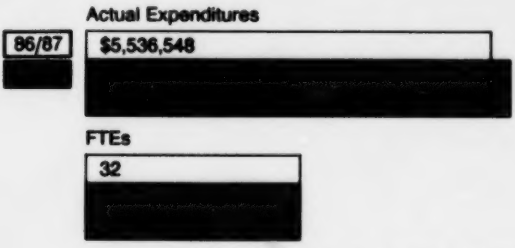
The Commission initiated a pilot project with the Vancouver Police Department during the year to video tape interviews of suspects, witnesses, and victims in criminal cases. Legislation covering the use of video tape in criminal cases was also drafted.

For the first time, the Commission conducted Police Board orientation workshops for new board members serving on police boards throughout the province. Two workshops were held, one in Vancouver and one in Victoria.

The Police Commission is charged under the *Police Act* with inspecting local police departments to assess them for efficiency and effectiveness. During the reporting year, inspections were conducted in Nelson, Matsqui, Vancouver, Esquimalt and Victoria. The inspections included an audit of statistical reporting of crimes.

The Commission also conducted surveys to assess the status of psychological services to police officers and of police/community relations.

OFFICE OF THE CHIEF CORONER



The B.C. Coroners Service investigates facts relating to sudden unexpected deaths of individuals in the province and makes recommendations with the view to preventing future loss of life in similar circumstances.

Coroners' duties include:

- ☐ investigation of the circumstances, including medical factors, surrounding the approximately 8,500 deaths reported annually to the Coroners Service under section 9 of the act;
- ☐ determination of the facts in some deaths by means of an inquest, to focus public attention on a particular death, or to meet the requirements of the law, as in the case of a police-custody death; and
- ☐ dissemination of findings and recommendations to appropriate persons, agencies, and ministries of government with the aim of preventing future loss of life. Although the *Coroners Act* provides no power to order changes, the majority of responses to coroners' and juries' recommendations are positive. Coroners' findings are a matter of record and available to the public.

The Coroners Service has a staff of 30 full time employees and approximately 110 other persons who are appointed and retained on a fee-for-service basis. Regional coroners offices are located in Burnaby, Nanaimo, Kamloops, and Prince George, with district offices in Nanaimo, Victoria, Chilliwack, Kamloops, and Kelowna. Regional offices administer various stages of the investigative process relating to the management and appropriate application of resources. Quarterly management reports allow each region to gauge their effectiveness in relation to such areas as the conduct of autopsies and toxicological tests.

Significant Activities during 1987/88

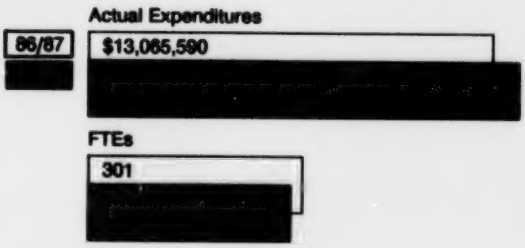
During the reporting period, 65 inquests were conducted in B.C. Significant inquests examined the deaths of seven skiers in an avalanche and 11 individuals in river rafting accidents. The inquests addressed safety issues in both sporting activities.

B.C.'s Chief Coroner Robert J. Galbraith retired during the reporting year and was replaced by the province's third Chief Coroner, John Vincent Cain.

The Coroners office joined in hosting a seminar of the International Association of Forensic Sciences in Vancouver, August 3 to 7, 1987. The conference was attended by 1,500 local and international delegates representing the forensic scientific community, law enforcement agencies, coroners and lawyers. In addition, the Coroners Service participated with Operation CounterAttack and ICBC in safety education programs aimed primarily at students and assisted the Traffic Injury Research Foundation in a comprehensive study of the role of alcohol in motor vehicle fatalities.

LAND TITLE BRANCH

The Land Title Branch operates under the authority of the *Land Title Act* and assures absolute security of titles to land and interests in land.



The Land Title Office administers the Torrens Title Registration System. Under this system, a person who establishes that he or she is entitled to an estate in land may apply to have the ownership registered. Upon registration, the title is assured by the government.

The Land Title Branch has seven regional offices located in Victoria, Vancouver, New Westminister, Kamloops, Prince George, Nelson, and Prince Rupert.

Significant Activities during 1987/88

The real estate market during the reporting year continued increased activity, resulting in an eight per cent increase in applications, to a total of 972,740. Revenue collected in registration fees totalled $17,660,526. Except for the summer months of June and July, the branch was able to process applications within six working days of receipt. Through June and July, processing averaged 13 days.

The branch continued to add titles to the ALTOS computer data base during the year. Despite a record volume of incoming applications, it was able to achieve its target of converting 300,000 titles this year. It is estimated that there are 1.5 million titles in the province. As of March 31, 1988, 918,000 of these, or about 60 per cent, were entered into the electronic data base. The Victoria Land Title Office, which started the ALTOS conversion program in August 1983, has now reached a conversion level where the branch has declared it complete. In the next fiscal year, we anticipate that both New Westminster and Kamloops offices will also complete conversion. The overall branch completion target remains at June 1990.

BRITISH COLUMBIA GAMING COMMISSION

The B.C. Gaming Commission is responsible for establishing policy, approving licenses and hearing appeals respecting the operations of bingos, casinos and ticket raffles in the province with the aim of ensuring the integrity of licensed gaming and maximizing the benefit to worthwhile charities. The commission is also responsible for approving licenses and setting policy for various types of gaming at fairs and exhibitions and at social clubs.

The commission was established by Order-in-Council April 1, 1987. Shortly afterward, it approved a regulatory framework for gaming commonly referred to as the Terms and Conditions Respecting Licensing of Lottery Events in British Columbia. This reporting year was its first year of operation.

Commission members during the reporting year were Richard Macintosh of Sidney (Chairman), Tom Venner of Vancouver (Vice-Chairman), Marianne Crockett of Trail, Ellison Framst of Fort St. John, Vicki Kuhl of Saanich, Derrick Humphreys of West Vancouver and Bernard Smith of Burnaby. The staff consisted of an executive officer, an office manager and a secretary.

Commission members meet monthly to conduct business, establish policy, hear appeals, examine reports from the Public Gaming Branch, receive briefs from interested parties and tour gaming sites. Commission members also conduct public meetings in various locations throughout the province.

Significant Activities for 1987/88

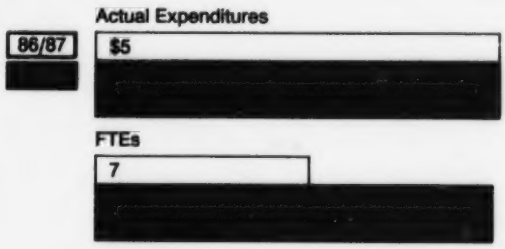
When created, the commission was asked by the Attorney General to provide a comprehensive review of gaming in B.C. The study was conducted during the first nine months of the reporting year, during which time the commission received more than 500 briefs from groups and individuals. The "Report on the Status of Gaming in British Columbia" was presented to the Minister on January 1, 1988. Its recommendations deal with the role of the commission in public gaming, experiences in other jurisdictions and provincial policy regarding casino gaming, destination resort gaming, bingo, ticket lotteries, fairs and exhibitions, social clubs, slot machines and equitable access to gaming proceeds by charities. Major concerns included the need for strict financial control in all forms of gaming to prevent fraud or theft in the form of skimming and accountability of charities for the funding it receives. Many of the report's recommendations were implemented in the reporting year.

Gaming licences are issued for a maximum one-year period after recommendations are made by the Public Gaming Branch. During the reporting year, 5,197 licences were issued to charities for public gaming, of which 2,056 were issued for bingos, 1,090 for ticket raffles and 2,031 to operate casinos.

Commercial bingo halls and casino locations are licensed separately by the commission. Seven casino management companies were licensed to operate 18 commercial casino operations, while 56 commercial bingo halls were licensed.

Licensing appeals are heard by a three-member panel of commission members. Twelve such appeals were heard in the reporting year, of which eight were denied and four were successful.

PUBLIC GAMING BRANCH



The Public Gaming Branch makes recommendations to the B.C. Gaming Commission on matters of policy, sets gaming standards and regulates the operation of:

- charities who use bingos, ticket lotteries or casino events to raise funds;
- commercial bingo and casino operators who provide facilities and equipment for licenced charities; and
- various types of gaming at fairs, exhibitions and in social clubs.

The branch enforces the Terms and Conditions Respecting Licensing of Lottery Events in British Columbia (approved by the Gaming Commission) and monitors all gaming activity through inspections, audits and investigation of irregularities and suspected violations. The branch receives and screens all applications for gaming licences and makes recommendations to the B.C. Gaming Commission on approval, amendment or rejection of them. The branch has the authority to suspend gaming licences and assists licensees in complying with regulations by providing advice and overseeing training initiatives. In addition, the branch collects all government revenue from licensing fees.

In collaboration with the B.C. Lottery Corporation, the branch sets standards for control and distribution of bingo paper. The branch also maintains liaison with the police community and other jurisdictions on public gaming activity.

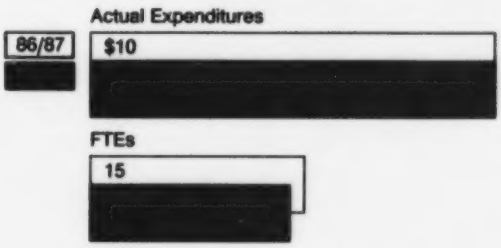
Significant Activities during 1987/88

With additional staff, the Public Gaming Branch was able to increase its inspection activity during the reporting year, in response to increased demands from police and the gaming public.

Revenues generated by gaming in British Columbia rose dramatically from the year previous, with gross proceeds or "bet" totalling $286 million, compared with $169 million the previous fiscal year. Of the total, $67 million reached the hands of British Columbia charities, compared with $35 million the previous year, and $3.8 million were collected in licence fees, compared with $1.4 million in 1986/87. The fee revenue increase is due to licence fee increases during the year. Casino operations generated almost triple the revenues of the previous year, to $92 million from $32 million, due largely to an increase in the bet limit, to $5 from $2. A dramatic rise in the number of commercial bingo halls is credited with a rise in bingo revenue, to $170 million in the reporting year, from $112 million the year previous.

The advent of the B.C. Gaming Commission and its report on gaming in the province had a significant impact on the branch's activities in the reporting year. There was a major shift in emphasis from a reactive process to a proactive and preventive regulation of gaming. The need for a watchful eye to keep the criminal element out of gaming in B.C. and a major revision in licence fees lead to increased levels of inspection activity.

British Columbia Racing Commission



The B.C. Racing Commission was established in 1960 by the provincial *Racing Commission Act* to govern, direct, control and regulate horse racing in the province. Commissioners are appointed by Order-in-Council and, for the reporting year, were R. Bruce Harvey (Chairman), J.R.C.(Jack) Short, Dr. Gordon L. Davis and Robert Collis, (Commissioner-Secretary). The commissioner secretary is also the senior administrator and ensures the rules, regulations and policies established by the commission are carried out.

The commission employs a staff of racing officials, veterinarians and investigators to ensure all race meetings are properly supervised and all horses are examined prior to races. The objective is to ensure that a high standard of harness and thoroughbred racing is presented and to protect the betting public.

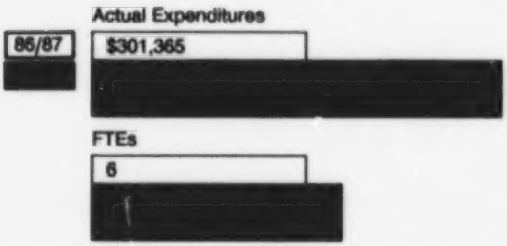
Currently, horse racing takes place at Exhibition Park in Vancouver, Cloverdale Raceway in Surrey, Sandown Park in North Saanich near Victoria, Sagebrush Downs in Kamloops, Kinsmen Park in Vernon, Desert Park in Osoyoos and Sunflower Downs in Princeton. About 10,000 people are employed in B.C.'s racing industry.

Significant Activities during 1987/88

In February, 1988 the Attorney General announced the appointment of a four-member task force to investigate establishment of a world-class racing facility in B.C. and recommend a site. The task force, chaired by Mohan Jawl of Victoria, was asked to hold public meetings to receive briefs from individuals, municipalities and representatives of the racing industry, and to submit its report by July 1, 1988.

Attendance at races in British Columbia decreased during 1987, with 1.39 million people attending, compared with 1.41 million the year previous. Money wagered at the tracks totalled $195 million, down slightly from the previous year's $197 million.

FILM CLASSIFICATION DIVISION



The Film Classification Division regulates the public exhibition and distribution of films and videos in the province. All films and videos to be shown to the public must first be submitted to the director for examination and classification. The *Motion Picture Act* of 1986 defines five categories of films and video for public exhibition. The categories are 14 YEARS, which restricts admission to those over 14 years old, RESTRICTED DESIGNATED or 18+ which restricts admission to those 18 years of age or older, GENERAL, MATURE and RESTRICTED.

The director can refuse to approve exhibition or distribution or order removal of segments of a film or video deemed to be in violation of the *Motion Picture Act*. The director may also prohibit advertising connected with films or videos not approved.

The division licenses the operation of theatres, film exchanges and video outlets renting adult videos. Licences must be renewed annually. It also inspects theatres and video outlets as part of a regular program of inspection and in response to complaints from the public.

Distributors and exhibitors may appeal a decision made by the director to the Motion Picture Appeal Board established under the *Motion Picture Act*.

Significant Activities during 1987/88

During the reporting year, the division reviewed 889 adult videos for retail distribution. Six of them were not approved. In addition, 714 films and videos for public exhibition were reviewed and 14 of them were rejected.

Because licences must be renewed annually, the numbers issued give an indication of the extent of the industry in British Columbia. During the reporting year, licences were issued to 21 general video distributors, 24 adult video distributors, 890 general video retail outlets and 448 adult video retail outlets. In addition, the division licensed 34 distributors of films and videos (intended for public exhibition) as well as 243 theatres. Revenues from licensing for the reporting year totalled $690,980.

After a phase-in period to July 1987, all video outlets were required to have decals on all adult videos showing they were approved by the division. In August 1987, the inspectors initiated a high level of inspection activity for adult video outlets to ensure compliance with the act. By the end of the reporting year, they had conducted more than 1,600 visits (including reinspections). Before a new outlet is licensed, inspectors ensure the visual and physical segregation of adult and general material complies with the act. Inspectors seized approximately 2,000 adult videos in retail outlets because they did not carry the proper decal and many contained prohibited material as described in Section 5(3) of the act.

MOTION PICTURE APPEAL BOARD

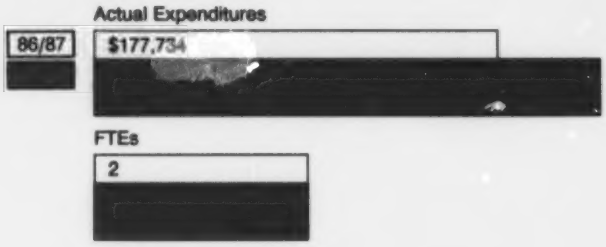
The Motion Picture Appeal Board hears appeals by exhibitors and distributors of motion pictures and videos of decisions rendered by the Film Classification Division. Both the appeal board and the division operate under the authority of the *Motion Picture Act*.

The appeal board consists of five members appointed by cabinet. For the reporting year, members were: Ronald Langstaff, Bruce Gifford, Pamela Glass, Nancy Morrison and Neil McDiarmid, Q.C., Chairman.

Significant Activities during 1987/88

The reporting year was the first full year of operation of the appeal board. It heard five appeals - two involving licence suspensions, one involving the rejection of a new licence application, one involving the classification of a film and one involving rejection of a video. Of the appeals, two were accepted by the appeal board and three were rejected.

ORDER-IN-COUNCIL PATIENTS REVIEW BOARD



The Order-in-Council Patients Review Board assesses the circumstances of persons in British Columbia who have been referred to it by the courts after being charged with an offence, to ensure that:

- persons found mentally unfit to stand trial are returned to stand trial if and when their mental condition permits; and
- those persons found not guilty on account of insanity can be eventually returned to the community.

The five members of the board are appointed by the Attorney General. During the reporting year, the board members were Dr. Anthony M. Marcus, Dr. Peter Bunton, Tyrone Colgur, Harold Keenlyside and Neil McDiarmid, Q.C., Chairman.

Members of the board interview and maintain records on each patient. The board makes its recommendations on the status of each patient to the provincial cabinet which, by law, must make the decision as to whether a person is held in these circumstances. Most persons in custody under Order-in-Council are confined to and treated at the Forensic Psychiatric Institute in Port Coquitlam.

Significant Activities during 1987/88

The Board conducted 237 interviews, compared with 238 in the year previous. In 161 of the cases, no change was recommended to the status of patient. The average OIC patient population per month is 140.

During the reporting year, the Review Board cooperated with the federal government on a nation-wide survey to gather statistical data on OIC patients.

During the reporting year, there were 18 orders transferring those found unfit to stand trial from strict to safe custody. For those persons found not guilty on account of insanity, there were 10 orders for transfer from strict to safe custody, nine from safe custody to conditional discharge level 1, two orders from safe custody to conditional discharge level 2, one order from conditional discharge level 1 to level 2, and 12 absolute discharges.

SERVICE AGENCIES

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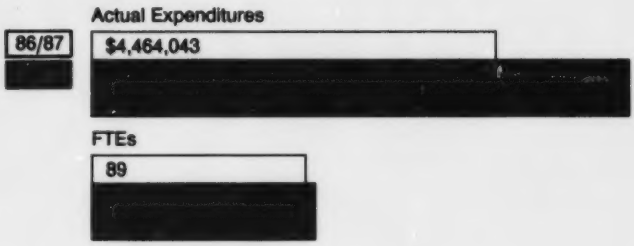
OFFICE OF THE PUBLIC TRUSTEE



The Public Trustee is authorized by the *Public Trustee Act*, and additionally under several other statutes, to protect the assets and legal claims of persons who cannot protect themselves. These people include:

- incompetent persons who have been judged to have mental difficulty in managing their financial and legal affairs;
- minors (under the age of 19) who lack a legal guardian capable of managing their financial and legal affairs;
- deceased persons where no other person has come forward to administer the deceased's estate or probate the will; and
- missing persons under court-appointed curatorship until the person's whereabouts can be confirmed or the person is declared dead.

The Public Trustee may completely manage and control financial and legal affairs for a person through "committeeship" (a term which refers to a person who manages the affairs of another) or assist and advise persons with lesser mental inabilities usually under power of attorney. The Public Trustee may also investigate reports that mental incompetents or minors have been taken advantage of financially and audits the accounts of private committeeships on behalf of mentally incompetent persons or minors.

British Columbia's Public Trustee serves about 30,000 clients with assets valued at approximately $240 million. Assets include more than 600 properties administered by trust officers, as well as securities investments.

For more than 80 per cent of clients, individual assets total less than $10,000. Close to half of the total assets administered by the Public Trustee belong to the three per cent of clients whose assets are individually valued at more than $100,000.

Significant Activities during 1987/88

The major thrust of work during the reporting year was aimed at putting the new computer system installed in the previous year into full service. The new system has speeded up the processing of cheques to clients and suppliers and provides better information in less time.

Assets managed by the Public Trustee continue to rise at an annual rate of between five and 10 per cent, due primarily to increases in property values and return on investments. In addition, money invested by the Public Trustee is now placed with a Treasury Pooled Investment Fund which earns a higher interest rate than the Province of B.C. statutory interest rate which previously limited Public Trustee investment earnings.

JUSTICE INSTITUTE OF BRITISH COLUMBIA

The Justice Institute of British Columbia provides training and education programs to professional organizations involved in fire protection, law enforcement, corrections services, emergency health care, courts management and related justice and public safety services.

The institute is divided into several academies: the Police Academy, the Emergency Health Services Academy, Courts Services Academy, Corrections Academy, Fire Academy and the Educational Services Division.

The major client groups of the institute are the ministries of Attorney General, Health and Municipal Affairs which require both entry-level recruit training and advanced training for municipal police officers, firefighters, provincial corrections employees, courts staff, ambulance attendants and paramedics. In addition, courses are delivered on a broad range of related topics and issues to personnel of government and private agencies, the corporate sector and members of the public. Core funding for operations is provided through the Ministry of Attorney General and the institute receives some revenue for providing its services to client ministries and other agencies.

The institute's main campus is located in Vancouver. The site, on West 4th Avenue, consists of classrooms, an auditorium, instructional resources centre, media centre, gymnasium, food service building and administrative and faculty offices. Satellite centres exist in the Greater Vancouver area to provide driver training, firearms training, "hands-on" firefighter training and dangerous goods training.

Faculty of the institute are professionals in the field, seconded as faculty members for up to three years. These professionals are supported by educational specialists with expertise in program planning, instructional techniques, curriculum development, learning assessment, media and print production, library research, and lifestyle and physical fitness training.

Significant Activities during 1987/88

During the year ended March 31, 1988, 20,704 students attended the institute's 953 courses. By year's end, the Justice Institute had delivered more student training days (STDs), 79,495 in total, at a lesser cost than in the previous year. This represents an increase of 2.3 per cent in STDs. For the same period, the average cost per STD decreased by 3.3 per cent.

Revenue generated from tuition fees for Extension Programs, Professional Health Programs and other contract services amounted to $1,140,953, an increase of 33 per cent over the previous year. A new Centralized Registration System was implemented to provide a more efficient method of handling the increased volume of tuition-generating courses, seminars and conferences.

On November 5, 1987, His Honour Judge Gerald Coultas, former Chief Judge of the Provincial Court of B.C., resigned as a member of the Board of the Justice Institute, having served since June 6, 1980. Judge Coultas was appointed to the Supreme Court of B.C. in April 1988.

As of March 31, 1988, board members included: Robert J. Stewart (Chairman), Anthony P. Pantages Q.C. (Vice-Chairman), Joseph H. Cohen, Jack Giles Q.C.,

Glen Ridgway Q.C., E.A. Sandy Robertson (P. Eng.), and Mary E. Saunders.

On December 18, 1987, the Institute and members of the police community witnessed the unfurling of flags atop three flagpoles erected as a memorial to Sergeant Larry Young, a former Police Academy instructor killed in the line of duty earlier in the year. The memorial was made possible by contributions from the staff at the Justice Institute and the B.C. Buildings Corporation.

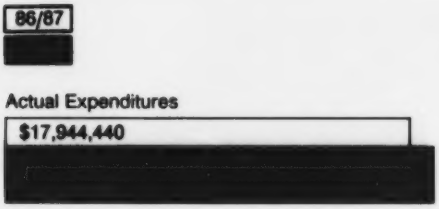
Student Statistics for 1987/88

	# of Students	# of Courses	# of STD
Police Academy	2,766	125	16,272
Emerg. Health Services Academy	2,242	144	13,855
Court Services Academy	1,175	79	5,046
Corrections Academy	2,680	98	11,826
Fire Academy	6,581	279	22,349
Educational Services Academy	5,260	228	10,147
	20,704	953	79,495

Operation Fund

	1986/87	1987/88
Budget (core & academy)	$5,914,024	$6,103,500
Staff	104	92
Outside Income Generated through Special Contracts	$857,263	$1,141,245

LEGAL SERVICES SOCIETY



The Legal Services Society provides legal aid to eligible applicants and legal information and education to all British Columbians.

The society operates under the authority of the *Legal Services Society Act*, which provides for the appointment of 14 members to the board of directors, seven appointed by the Lieutenant Governor in Council and seven appointed by the Law Society of British Columbia.

During 1987/88, board members were Lois Hollstedt (Chairperson), A.G. Henderson (Vice-Chairperson), The Hon. Mr. Justice J.C. Bouck, Her Honour Judge Loretta Chaperon, The Hon. Mr. Justice Bruce Cohen, Gerald J. Kambeitz, His Honour Judge William Kitchen, T.E. LaLiberte, Kathy Marshall, Mark McEwan, His Honour Judge William Ostler, Charlotte Smith, and Jeanne Watchuk.

The society is funded primarily by the provincial government, for 83.7 per cent of its budget in 1987/88. The federal government provides up to 50 per cent of that funding for a number of legal aid services through various cost-sharing agreements with the province. Thirteen per cent of the society's budget in 1987/88 was provided by the Law Foundation.

Legal Aid

Legal aid services are provided to people whose family income is below the poverty line and who have an urgent legal problem. The services are provided by staff lawyers and paralegals, or lawyers in private practice on a fee-for-service basis. Staff also provide legal services to clients in areas such as workers' compensation claims, income assistance appeals, unemployment insurance cases, defences in civil actions and advice in family law matters.

Services are provided through 31 offices across the province. Some of these are Legal Services Society branch offices; some are community law offices and Native community law offices funded by the society. In some communities not served by a society office, private lawyers serve as area directors, accept applications for legal aid and find lawyers for those who are eligible.

Legal Education

The society supports and develops education about the law in British Columbia by publishing resource materials, presenting workshops and through "Legal Perspectives" – a bi-monthly magazine for B.C. educators. The major audience is secondary school teachers and students.

The society also maintains a Legal Resource Centre to serve as a law library for the general public, the society's staff and its funded agencies. The centre operates

a telephone legal information service for the general public - the Law Line. For public libraries around the province, the centre provides funding for the purchase of legal materials, legal reference training for library staff, and a quarterly newsletter.

There are those who are unable to or do not make use of existing legal information resources for reasons such as rural isolation, illiteracy or special legal needs. The society's Public Legal Education (PLE) program works to fill these gaps by providing self-help printed materials, workshops, advocacy training and funding for legal education projects which serve specific needs, for example, for the elderly, recent immigrants, the unemployed, or battered women.

The society's Native programs work to ensure that delivery of legal services is consistent with Native peoples' needs, by developing Native law material on topics identified by Native groups, funding Native public legal education projects and distributing information on resource materials to bands, tribal councils, Native courtworkers, friendship centres, band social workers, urban and provincial Native groups. The society funds four Native community law offices and three Native Friendship Centres.

Significant Activities during 1987/88

Legal Aid

The Legal Services Society received 80,378 applications for legal aid during the reporting year, of which 54.1 per cent, or 43,487, were accepted. The majority of cases, 27,310 involved criminal matters, while 11,361 cases involved family law and 4,816 involved civil law. All of these figures were up slightly from the previous year.

In August 1987, the fees paid by the society to private lawyers were increased. There was a second increase in January, 1988.

During the year, more than 800 people requested legal help with refugee claims. Most were from Central America, Iran and Sri Lanka. Of the applicants, 140 were helped by society staff and another 150 were referred to private lawyers who volunteered to take on the cases free-of-charge. Almost 500 were given self-help materials to guide them through the procedure on their own.

Legal Education

The Legal Resource Centre staff reponded to a total of 17,994 inquiries. Of these, 16,483 were inquiries through the Law Line, an average of more than 14 calls per hour.

Legal Services staff conducted several workshops during the reporting year. These included:

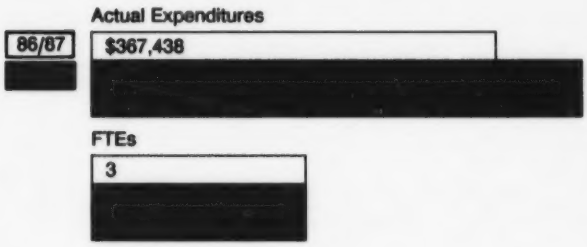
- 24 workshops for educators and students on topics such as the *Young Offenders Act*, consumer law, the constitution, and law in the new social studies curriculum;

- ☐ 19 workshops for public librarians, community workers, students and the general public; and
- ☐ 33 workshops for community organizations on a wide range of topics including family law, unemployment insurance and labour law for women. Three of the presentations were also taped for television broadcast.

Grants in the amount of $35,000 were given to 37 public library systems, representing 89 communities in B.C., to enable the purchase of legal materials. In addition, 35 community organizations received grants totalling $154,514 to carry out public legal education projects.

Two booklets were developed on the topic of working with Indian witnesses and clients. The booklets have been used in cross-cultural awareness workshops for staff lawyers. Native programs funded 10 public legal education projects during the past year.

LAW REFORM COMMISSION



The Law Reform Commission of British Columbia was created by the *Law Reform Commission Act* of 1969 to review the province's laws and make recommendations to government on the repeal of obsolete or unnecessary legislation, the elimination of anomolies, the reduction of the number of separate enactments and the simplification and modernization of B.C.'s laws.

The Attorney General may refer specific subjects to the Commission for examination and report. Areas for study may also be suggested by the legal profession, judges or the general public. In addition, the Commission's legal staff monitors a large number of reports and legal periodicals and maintains reciprocal exchange agreements with other law reform agencies throughout the world where law reform work may point to a deficiency in our own law.

If a small, straight-forward point of law is identified as suitable for action and is unlikely to be controversial, the Commission may proceed on it immediately with a minor report to the Attorney General.

Most often, however, the Commission gathers information on the topic under consideration, communicates with knowledgeable individuals on the desirability of reform and consults with other jurisdictions to see if the particular subject has been perceived as a problem. Most of the research is carried out by full-time members of Commission staff. Some is carried out by contracted consultants. As a general practice, before a final report is presented to government, a working paper is written and circulated to invite comment and criticism from those knowledgeable in the area of law under study or who have a special interest in it. Final reports may then be used as a basis for drafting appropriate legislation.

Commissioners are appointed by Order-in-Council. As of the end of the reporting year, the Commission consisted of five members: Arthur L. Close, Chairman; Hon. Ronald I. Cheffins Q.C., Vice-Chairman; Miss Mary Newbury; Professor Lyman R. Robinson Q.C. and Dean Peter Burns Q.C. Professor Cheffins was re-appointed to the Commission in September 1987, having previously served as a member from 1983 to 1985. All commissioners, other than the chairman, serve on a part-time basis.

Significant Activities during 1987/88

During the reporting year, the Commission submitted final reports on the following topics:

The Buyer's Lien: A New Consumer Remedy - this report recommended that the rights of consumers be reinforced where they pay for items before taking delivery of them. When a seller declares bankruptcy before delivering goods, a buyer's lien would enable the buyer to assert rights over the prepayment or the seller's inventory.

Fraudulent Conveyances and Preferences - this report concerns the remedies that should be available against a debtor who attempts to shield assets from creditors. It recommends the repeal of two older acts, and the addition of new and modern provisions to the *Court Order Enforcement Act.*

The main focus of the Commission's work during the year was on projects that are in their initial phases. As a result, more working papers than usual were prepared and circulated for comment. Working papers were issued on the following topics:

Execution Against Shares - this discussion focused on difficulties associated with current law governing the seizure and sale of shares by an execution creditor.

Deeds and Seals - affixing a seal to an ordinary business contract means a different set of laws apply to it. This working paper deals with reconciling the differences by assimilating the rights arising under deeds to those arising under simple contracts.

Testamentary Intent and Unexpected Circumstances - occasionally, certain rules of law concerning wills may result in distribution of property in ways which do not accord with the actual or likely intent of the testator. For example, when property mentioned in a will has been replaced by other property, a gift of it may fail. This working paper examines and suggests modifications to these rules.

Co-ownership of Land - land may be co-owned in two ways: joint tenancy and tenancy in common. Both forms suffer from an outmoded legislative framework. This working paper brings together a group of issues and concerns that relate to co-ownership.

Land (Settled Estate) Act - this act is based on 19th Century English legislation much of which simply has no application in British Columbia. Amendment of the *Trust Variation Act* would make the settled estate legislation totally redundant. This working paper points to its repeal.

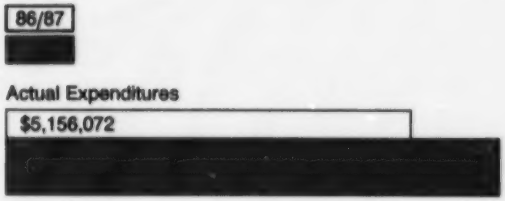
Vicarious Liability Under the *Motor Vehicle Act* - what is the legal position of the owner of a vehicle driven by another person in a way which gives rise to civil liability or which violates provincial law? This working paper attempts to clarify what the position is or should be.

Final reports on most of these topics will be submitted in the coming year. The Commission distributes working papers on its own while its final reports and other publications are available through Crown Publications Inc.

In addition to these activities, the Commission chairman devoted considerable time and effort to organizing and chairing the Law Reform Conference of Canada's meeting in Victoria in August 1987. A major topic of discussion at this conference, attended by representatives of law reform agencies from across Canada, was the uniformity and harmonization of laws across the country.

CRIMINAL INJURY COMPENSATION BOARD

The Criminal Injury Compensation Board provides compensation for victims of crime for personal injury or death or where persons are injured or killed while trying to prevent an offence, make an arrest or assist a police officer in making an arrest.



The *Criminal Injury Compensation Act* provides the Board with exclusive jurisdiction to determine whether any person is entitled to compensation, as well as the form and amount of the award. Compensation is paid from provincial consolidated revenue through the Ministry of Attorney General; however, the program is administered by the Workers' Compensation Board. The province recovers part of the cost of compensation from the federal government, which pays 10-cent-per-capita on the population of B.C. or 50 per cent of compensation paid, whichever is less.

Significant Activities during 1987/88

Figures reported here pertain to the calendar year 1987, as Board statistics are compiled on that basis.

During 1987, 2,173 new applications for compensation were received. Combined with the 464 applications carried forward from the previous year, 2,637 claims were considered. Of that number, 2,172 applications were disposed of, leaving 465 cases to be carried forward to the next year.

Awards were granted in 1,861 cases. The remaining applicants were not considered to be entitled to benefits and their applications were disallowed. Forty-six per cent, or 897, of the awards involved sexual offences, including sexual abuse of children and indecent assaults.

Expenditures for 1987 amounted to $5,943,822. Administration costs were $483,160 or approximately eight per cent of the total. Compensation awards totalled $5,460,662. Since the act came into force in 1972, the Board has received a total of 13,604 applications and awarded $33,229,152 in compensation.

Efforts continued during the year to increase public awareness of the act through pamphlets distributed to all Board area offices, hospitals, doctors, dentists, victim/witness assistance groups, court officials, police stations, employer associations, unions, schools, social workers, sexual abuse and rape crisis centres and the news media. The Board encourages police officers, emergency hospital staff, physicians and lawyers to advise victims of the benefits available under the act.

EXPROPRIATION COMPENSATION BOARD

The Expropriation Compensation Board was established during the reporting year under the *Expropriation Act* to settle disputes between landowners and public bodies over the amount to be paid for land expropriated for public purposes.

The chairman of the board, Jack Heinrich, Q.C., was appointed by Order-in-Council for a five-year term. Michael Grover and Eric Todd have each been appointed as members of the board for three year terms.

At the time of its establishment, there were only three months left in the reporting year. This time was spent organizing the administration and operation of the board including preparation of practice, procedure and general regulations, statutory forms and the office consolidation. No disputes were decided by the board as of the end of the fiscal year, however, claims for compensation were received by the board office.

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MINISTRY OF ATTORNEY GENERAL

ACTUAL EXPENDITURES AND FULL-TIME EQUIVALENT STAFF

	1986/87 EXPENDITURES	FTEs	1987/88 EXPENDITURES	FTEs
Minister's Office	$ 188,313	5	$ 217,398	6
Justice Services				
Police Services Branch	$ 88,347,399	117	$ 94,719,142	128
Criminal Justice Branch	19,677,711	196	21,400,785	192
Court Services Branch	83,121,579	1246	88,031,345	1252
Supreme/County Court Judiciary	3,608,276	68	3,917,744	71
Provincial Court Judiciary	11,935,151	27	14,105,906	26
Corrections	118,793,328	2225	125,666,379	2174
Legal Services	11,165,291	93	13,164,393	91
Crown Proceeding Act	2,793,241	-	1,088,820	-
Support/Regulatory	15,015,952	124	16,248,843	133
Internal Audit	98,000	2	270,000	2
Regulatory Agencies				
B.C. Board of Parole	579,592	6	603,554	6
B.C. Police Commission	495,231	6	673,922	6
B.C. Coroner Service	5,536,548	32	5,802,553	32
Land Title Branch	13,065,290	301	13,914,453	284
B.C. Gaming Commission	-	-	5	-
Public Gaming Branch	5	7	5	13
B.C. Racing Commission	10	15	10	14
Film Classification Division	301,365	6	578,895	7
Motion Picture Appeal Bd.	-	-	8,953	-
OIC Patient Review Bd.	177,734	2	222,977	2
Service Agencies				
Public Trustee	4,464,043	89	5,934,244	93
Legal Services Society	17,944,440	-	19,044,440	-
Law Reform Commission	367,438	3	446,107	3
Criminal Injury Comp.	5,156,072	-	6,298,095	-
Expropriation Comp.	-	-	195,501	1
B.C. Int. Com. Arbitration Centre	-	-	430,000	-
Emergency Assistance	302,970	-	329,941	-
	$403,134,979	4,570	$433,314,410	4,536

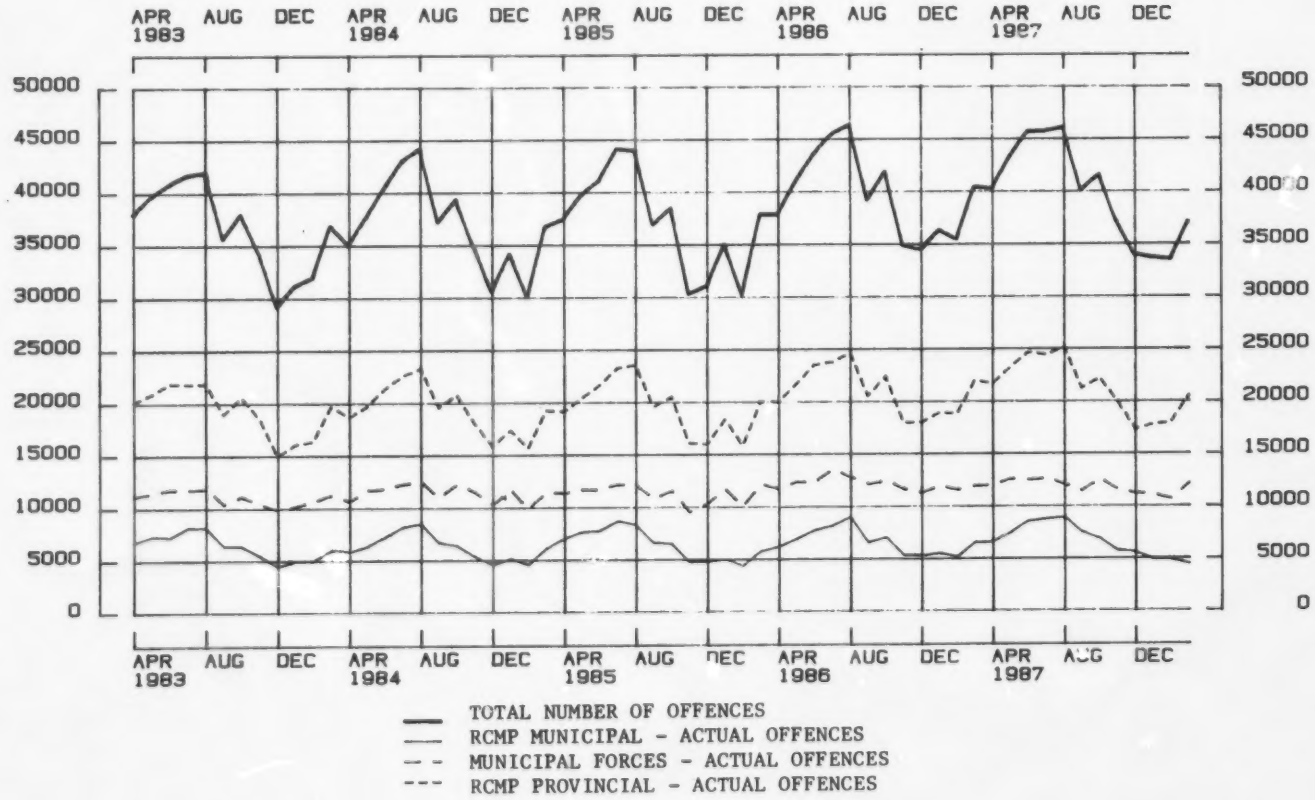
Legislation administered by the Attorney General

The following acts were administered during the 1987/88 reporting year by the Ministry of Attorney General.

Age of Majority
Attorney General
Barristers and Solicitors
Builders Lien
Civil Rights Protection
Commercial Arbitration
Company s. 348
Condominium (only matters affecting powers and duties of Registrar of Titles)
Constitutional Question
Coroners
Correction
County Boundary
County Court
Court Agent
Court of Appeal
Court Order Enforcement
Court Order Interest
Court Rules
Criminal Code (Canada) Section 190
Criminal Injury Compensation
Crown Franchise
Crown Proceeding
Curfew
Disciplinary Authority Protection
Emergency Program
Escheat
Estate Administration
Estates of Missing Persons
Evidence
Expropriation
Family Compensation
Family Maintenance Enforcement
Family Relations
Federal Courts Jurisdiction
Financial Disclosure
Firearm
Flood Relief
Foreign Arbitral Awards
Fraudulent Conveyance
Fraudulent Preference
Frustrated Contract
Good Samaritan
Holiday Shopping Regulation
Homestead
Horse Racing
Indian Cut-off Lands Disputes
Infants
International Commercial Arbitration
Interpretation
Judicial Review Procedure
Jury
Justice Administration
Land (Settled Estate)
Land (Spouse Protection)
Land Title
Land Title Inquiry
Land Transfer Form
Law and Equity
Law Reform Commission
Legal Profession
Legal Services Society
Libel and Slander
Limitation
Ministry of Transportation and Highways (ss. 61-67)
Motion Picture
Municipal (Part 20)
National Cablevision Limited Transfer of Jurisdiction
Negligence
Notaries
Occupiers Liability
Offence
Ombudsman
Partition of Property
Patients Property
Pawnbrokers
Perpetuity
Police
Power of Appointment
Power of Attorney
Prevention of Cruelty to Animals
Privacy
Private Investigators and Security Agencies
Probate Recognition
Property Law
Provincial Court
Public Trustee
Queen's Counsel
Regulations
Sales on Consignment
Sheriff
Small Claim
Statute Revision
Statute Uniformity
Subpoena (Interprovincial)
Supreme Court
Survivorship and Presumption of Death
Trespass
Trust Variation
Trustee
Trustee (Church Property)
Wills (All but Part 2)
Wills Variation
Young Offenders (British Columbia)

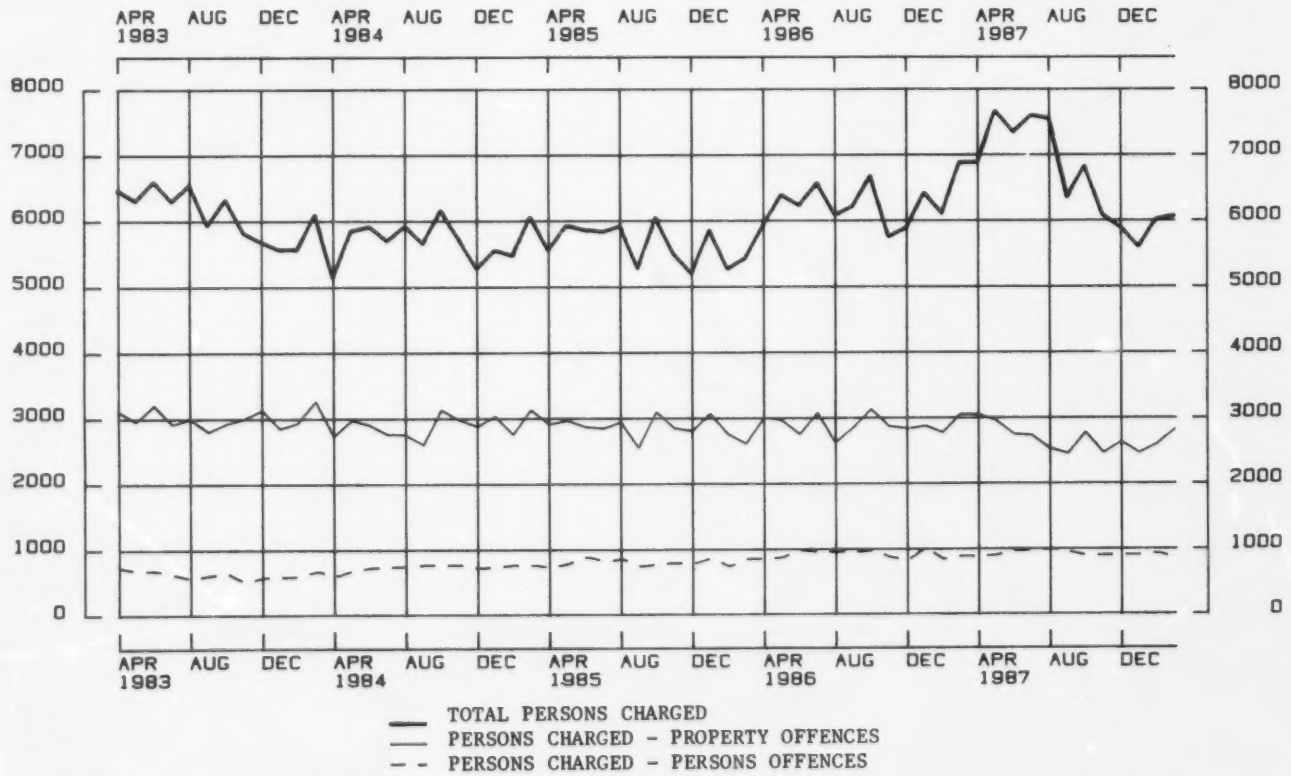
Law Enforcement
Number of Offences April 1983 to March 1988

This graph shows the total number of actual offences reported by the RCMP and independent municipal forces on a monthly basis for the fiscal years 1983/84 through 1987/88. Actual offences include Criminal Code, federal statute, provincial statute and municipal bylaw violations. Criminal Code offences account for approximately 90 per cent of the total. Excluded are traffic offences, both Criminal Code and provincial statute.



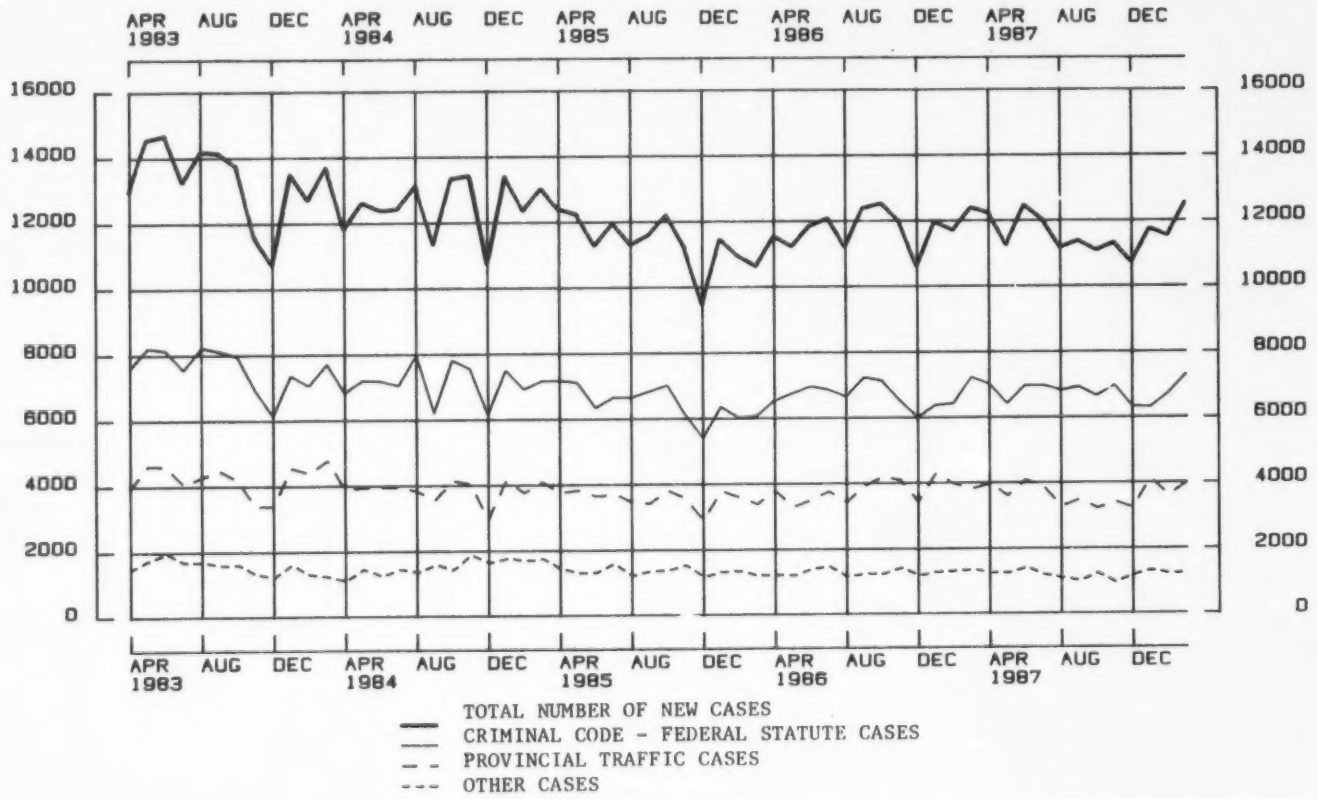
Law Enforcement
Total Persons Charged April 1983 to March 1988

This graph records on a monthly basis for the fiscal years 1983/84 through 1987/88 the total number of persons against whom police recommended charges be laid, excluding driving offences. In British Columbia, police do not generally lay charges directly, but recommend to Crown Counsel that a person be charged with a particular offence.



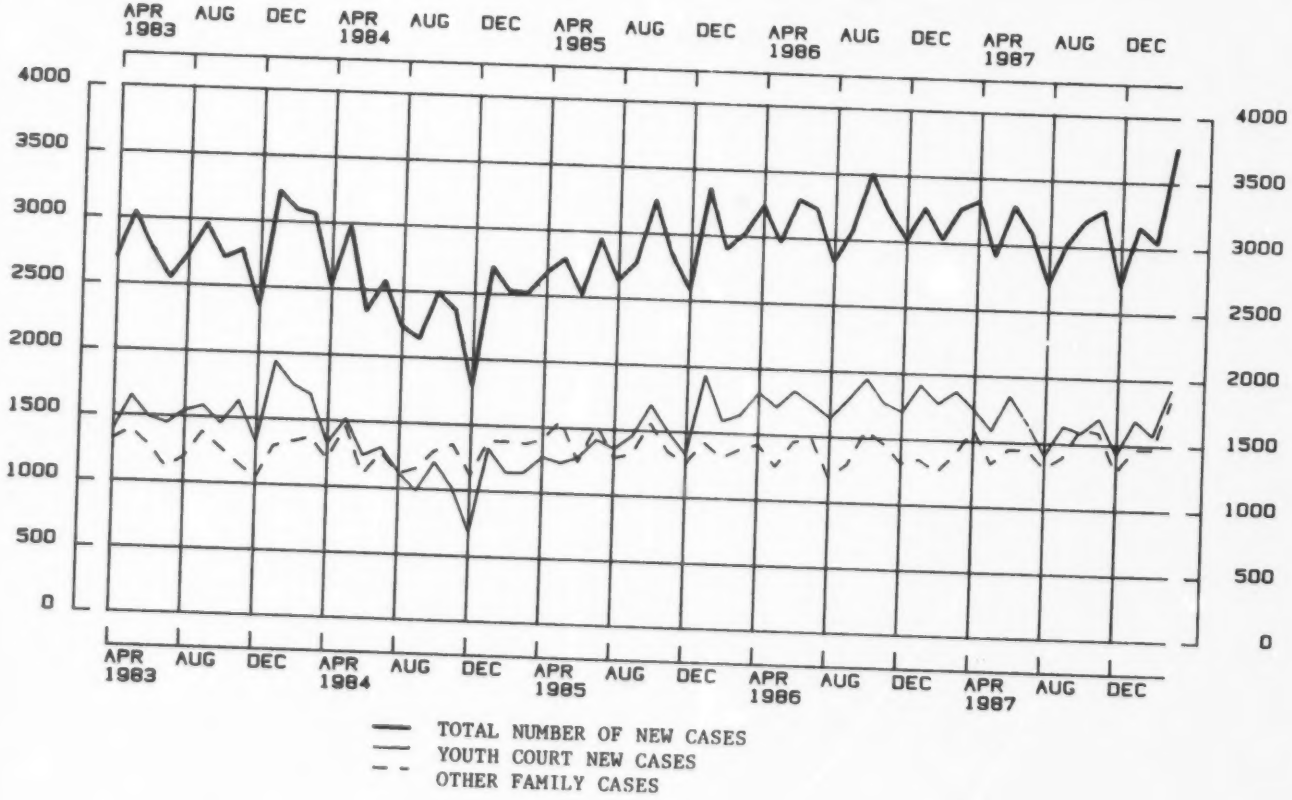
Provincial Court
New Criminal Cases April 1983 to March 1988

This graph records on a monthly basis the volume of new adult criminal cases coming to the attention of the Provincial Court for the fiscal years 1983/84 thorugh 1987/88. Nearly all criminal cases are initiated in the Provincial Court and approximately three-quarters of all legal disputes in British Columbia begin and end in the Provincial Court.



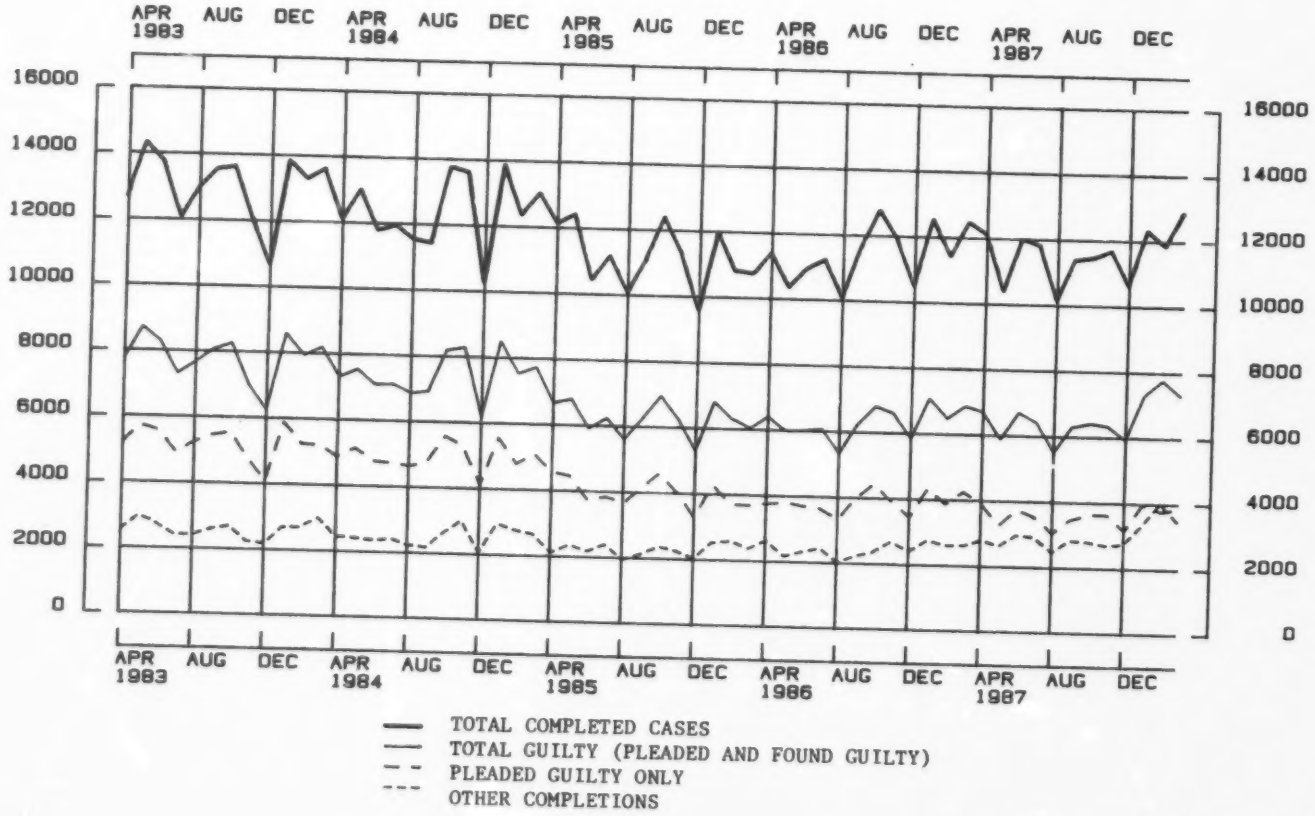
Provincial Court
Family and Youth New Cases April 1983 to March 1988

This graph records on a monthly basis the volume of Family and Youth Court cases coming to the attention of the Provincial Court for the fiscal years 1983/84 through 1987/88. Youth cases include all first appearances involving the *Young Offenders Act*. Family cases include those arising from the *Family and Child Services Act*, the *Child Paternity Support Act* and the *Family Relations Act*.



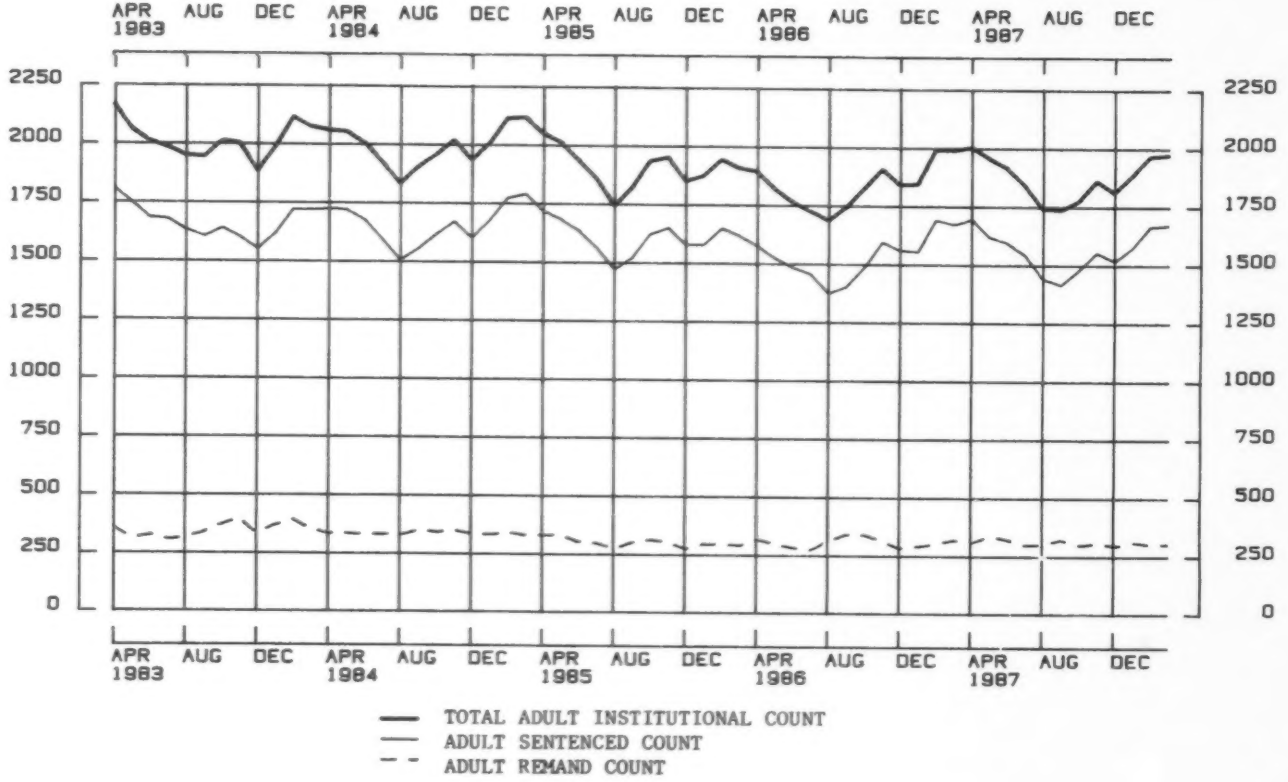
Provincial Court
Criminal Cases Completed April 1983 to March 1988

This graph shows on a monthly basis the total number of cases that were completed in the Provincial Court for the fiscal years 1983/84 through 1987/88. 'Other completions' includes a range of outcomes, e.g. discharged, acquitted, committed for trial, stay of proceedings.



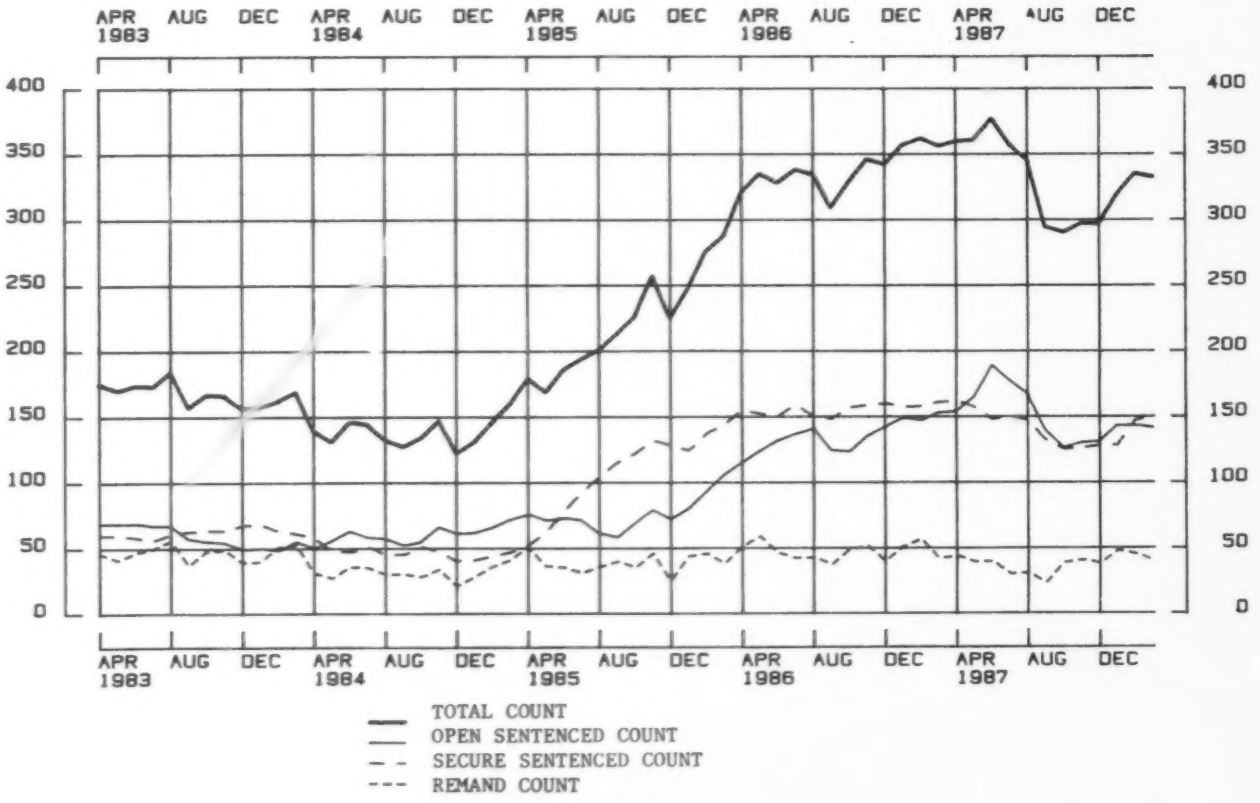
Corrections
Adult Institutional Count April 1983 to March 1988

This graph records the average number of person held in adult institutions on a monthly-basis for fiscal years 1983/84 through 1987/88. The count is defined as the number of persons in custody at midnight. Sentenced inmates have been given a disposition by the court, while those on remand status are being held pending trial, for psychiatric examination or for some other reason determined by the court.



Corrections
Youth Custody Count April 1983 to March 1988

This graph records the average number of persons under the age of 18 held in youth institutions on a monthly basis for fiscal years 1983/84 through 1987/88. The count is defined as the number of persons in custody at midnight. Sentenced inmates have been given a disposition by the court, while those on remand status are being held pending trial, for psychiatric examination or for some other reason determined by the court.



British Columbia Parole Board
Number of Persons on Parole April 1983 to March 1988

This graph records on a monthly basis for the fiscal years 1983/84 through 1987/88 the number of persons who have been released by the B.C. Parole Board and are under supervision, the number of applications for parole received by the board and the number of parole reviews heard by the board.